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BOARD OF ALDERMEN.

[From Proceedings of Board of Aldermen of May 11, 1897.]

COMMUNICATIONS FROM DEPARTMENTS AND CORPORATION OFFICERS.

The President laid before the Board the following injunction in the case of Long Island City vs. the Board of Aldermen et al.:

SUPREME COURT.

Trial to be had in the County of Queens.

Long Island City, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants.

Upon the summons and complaint herein, verified this day, and the affidavits of Patrick J. Gleason, Charles Henry Butler and Thomas P. Burke and Robert C. Shephard verified this day, all of which are hereto annexed and to be served with a copy of this order, and upon such other affidavits, exhibits and documents as may be served upon the defendants or their attorneys on or before the hearing of this motion, let the defendants show cause, at Special Term of this Court, to be held at the County Court-house, Long Island City, on the 15th day of May, 1897, at 10 o'clock in the forenoon, or as soon thereafter as counsel can be heard, why an order should not be entered restraining and enjoining the defendants, and each and all of them, during the pendency of this action and until the entering of judgment herein, from doing any acts, issuing any permits or passing any resolutions which in any way alters or affects the present status of affairs, existing between the City of New York and the Sixth and Eighth Avenue Railroad Companies, in regard to the rights under the contracts of September 6, 1851, referred to in the complaint herein, or from doing any act, issuing any permit, or passing any resolution permitting any of the defendant railroad companies from changing the motive power of the Sixth and Eighth Avenue Railroads, or from acting under such act, permit or resolution; and it appearing from the complaint that the plaintiff demands and is entitled to judgment restraining such acts, and that the commission of any such acts, until the further order of this Court, would create waste to the property which the plaintiff now is or will be interested in, and the plaintiff having begun the undertaking required by law;

It is ordered that meanwhile and until the hearing and determination of this motion that the defendants, and each and every of them, and all of their agents, servants and officers, be and they hereby are restrained and enjoined from doing any acts, issuing any permits or passing any resolutions, as above stated, or any of them, or doing any act thereunder; except that an adjournment or postponement may be had.

A sufficient cause appearing therefor, let service of this order on or before the 13th day of May, 1897, be sufficient.

W. J. GAYNOR, J. S. C.

Dated May 11, 1897.

SUPREME COURT.

Trial to be had in the County of Queens.

Long Island City, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants.

To the above-named defendants, and each of them:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer on the plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service; and, in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

LONG ISLAND CITY, May 11, 1897.

THOMAS P. BURKE, Attorney for Plaintiff, office and post-office address, City Hall, Long Island City.

SUPREME COURT.

Trial to be had in the County of Queens.

Long Island City, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants.—Complaint.

The plaintiff above, by Thomas P. Burke, his attorney, complains of the defendants above mentioned and alleges as follows:

1st. That the plaintiff is a municipal corporation, organized and existing under and by virtue of the laws of the State of New York.

2d. That the defendants, John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, are regularly elected aldermen of the City of New York, and at the present time are known as the Common Council of the City of New York, and under the provisions of the law known as the Consolidation Act, are the trustees of the property; funds and effects of the City of New York.

3d. That the defendants, Mayor, Aldermen and Commonalty of the City of New York is a municipal corporation.

4th. That the defendants, the Eighth Avenue Railroad Company, the Sixth Avenue Railroad Company and the Metropolitan Street Railroad Companies, are domestic corporations organized and existing under and by virtue of the laws of the State of New York and operate street railroads within the limits of the City of New York, including the two lines hereinbefore more particularly described, and each known as the Sixth and Eighth Avenue Railroad Company.

5th. That on the 6th day of September, 1851, the City of New York granted to John Pettigrew and others a license to operate a street railroad through certain streets described therein, and which license was formulated in a contract of the same day; a copy thereof is hereunto annexed marked "Exhibit A."

6th. That the plaintiff alleges on or about the 6th day of September, 1851, a contract was made and entered into by and with one Libby and others of the City of New York, wherein and whereby the said City granted to the said Libby a license to operate a railroad through certain streets therein mentioned, a copy of which is hereunto annexed and marked "Exhibit A2."

7th. That subsequently the said Pettigrew and associates assigned the said license (Exhibit A1) to the Eighth Avenue Railroad, and thereof the said Libby and associates assigned the said contract (Exhibit A2), and by mesne conveyances the said contract has become vested in the defendants the Sixth Avenue Railroad Company, and the defendant the Metropolitan Railroad Company has made and entered into a contract with each of the other railroads thereby it has leased the said lines and is now operating and maintaining the same.

8th. Plaintiff alleges that the only rights whatsoever that the defendant railroad companies have to operate a railroad in any of the streets of the City of New York mentioned in either of the said contracts are the said contracts themselves, and that they hold such rights subject to the terms and limitations contained in the said contracts.

9th. That the said contracts expressly provide that as to the license for the Eighth Avenue Railroad Company (Exhibit A) no motive power shall be used excepting horses below Fifty-first street, and that as to the Sixth Avenue (Exhibit A2) no motive power shall be used excepting horses below Forty-second street.

10th. Plaintiff alleges that at the time said contracts were made and entered into, the City of New York had no right to make the said contracts or to grant the licenses thereby confirmed, but that such right was vested entirely in the State of New York, and that subsequently and in order to confirm and ratify the same, the State of New York, by chapter 140 of the Laws of 1854, confirmed the grant and license and subsequently reaffirmed the same by chapter 10 of the Laws of 1860.

11th. That the plaintiff alleges that the said contracts (Exhibits A and A2) have by reason of such acts of ratification become contracts between the City of New York and the defendants, the railroad companies, and their assigns and grantees, which cannot be impaired or affected by any subsequent legislation, and further alleges that the said defendant railroad companies can only operate their said roads under and by virtue of the said contracts, and have no right to make any changes or alterations of any kind not provided for in the said contracts except by and with the consent of the municipal authorities of the City of New York properly and lawfully given.

12th. Plaintiff alleges that the City of New York expressly reserved in and by both of said franchises or contracts the right to demand the surrender of the said rights at any time on demand to the licensees or their grantees of the amount expended by them in construction of the said right by 10 per cent. addition, and plaintiff alleges that such provision is now enforceable, and that the City of New York has a right to avail thereof as to either or both of said railroads at any time.

13th. That the right to control the motive power of the said railroads is a valuable property right belonging to the municipality of the City of New York, and, in connection with the right to demand a surrender of the present roads, is worth at least \$4,500,000, which amount has been offered for it as is hereinafter shown, provided the City of New York will exercise its legal rights in connection with the said charters.

14th. That during the session of 1896, the Legislature of the State of New York passed an act consolidating the various municipalities under one local government, which act is generally known as the Greater New York Act; and under and by virtue of the said act it is expressly provided that on the 1st day of January, 1898, all the municipalities referred to in the said act, including the City of New York and Long Island City, the plaintiff, should be consolidated under one municipal government, and provided for a Commission to draft a charter for the said greater city.

15th. That said Commission has duly drafted the said charter, and the same has been duly adopted by the Legislature of the State of New York, and in and by the same it is provided that all of the various municipalities embraced within the limits of what is known as the Greater New York shall be under one government, and shall share jointly in all of the assets and be jointly subject to all of the debts and liabilities of the several component municipalities, and the plaintiff is therefore entitled to share in all of the properties and property rights owned by any of the municipalities embraced within the limits of the territory affected by the new charter; and the plaintiff is interested, to the extent of its proportionate share, in all moneys which can be realized or received in any way from the sale of any street railway franchises of any kind by the City of New York, either by reason of the future income to be derived therefrom, or by a reduction of the debt which would ensue in case of the sale of any franchise and a proper application of the proceeds.

16th. That the City of New York has received, as appears by Exhibits B, C, D, D2 and D3, hereto annexed, and which are made a part hereof, a substantial offer, amounting to \$2,000,000 in cash and a regular income of \$100,000 per annum, representing the interest at the rate of four per cent. per annum on \$2,500,000, for a franchise to construct and maintain a railroad through the streets affected by the charter heretofore referred to in Exhibits A and A2; and such offer has been made by a responsible party, who has furnished proof of his ability to carry out the same; but the City of New York has failed and neglected to avail itself of said offer, thereby causing great waste and injury to the property of the City of New York, in which the plaintiff is interested under and by virtue of the new charter for the greater city, passed as aforesaid.

17th. That, notwithstanding the fact that the City of New York is now in a position, as aforesaid, to avail itself of large, valuable and lucrative offers for the said franchises, it proposes, through its Common Council, to consent to a change in the motive power of the said railroads, thereby causing great waste and injury, and possibly relieving said railroads from the right on the part of the City to repurchase, and, in any event, so changing the present status of affairs that it will undoubtedly be impossible for the City to ever realize any amount whatsoever for the said franchises, or either of them. And the Common Council of the City of New York has now before it, and intends to act thereon this day unless enjoined by the Court, a resolution permitting such change, a copy whereof is hereto annexed marked "Exhibit F."

18th. And furthermore, notwithstanding all of such facts, the Commissioner of Public Works of the said City of New York has issued, or is about to issue, permits permitting such change of motive power without any compensation whatsoever to the City of New York, a copy of which is hereto annexed and marked "Exhibit E."

19th. That great waste and injury will result irreparably to the plaintiff unless the defendants and all of them are enjoined from doing any act whatsoever which will permit the defendant railway companies to change the motive power, or from issuing permits or passing resolutions in regard thereto.

20th. That the defendant railway companies have not complied with the statutes in regard to the change of motive power, and have not obtained any consent from the Board of Electrical Control or from the Park Board; and that consents have not been obtained from the owners of one-half of the property bounded on the streets on which the said proposed change is to be made; all of which consents are required by law.

21st. That the said permit, Exhibit "A," is wholly illegal, in that it makes no provision requiring the defendant railroad companies to pay any tax in compliance with an ordinance passed in 1880, known as the "Vault Tax;" the said permits permitting the railroad companies to maintain perpetually in the streets of New York the said vaults, which are only permitted by the statutes and ordinances on the payment of a regular vault tax, which in the present case would amount to over \$100,000.

Wherefore the plaintiff demands judgment that the defendants be enjoined from granting any permits, passing any resolution, doing any act or acting under any act, resolution or permit which in any way alters or permits the alteration of the motive power of either of the said railroads, or in any way deprives or tends to deprive the City of New York or the plaintiff or any of the municipalities interested in the property of the City of Greater New York, of any right or property, or in any way causes waste or injury to any of the said municipalities, or either of them; and that the defendants be enjoined during the pendency of this action from doing or permitting or accepting any of the acts hereinbefore mentioned; and that the plaintiff may have such further, other and different relief as to the Court may seem just and proper.

THOMAS P. BURKE, Attorney for Plaintiff, office and post-office address, City Hall, Long Island City.

EXHIBIT "A"—EIGHTH AVENUE RAILROAD.

Agreement, made the sixth day of September, in the year one thousand eight hundred and fifty-one, between the Mayor, Aldermen and Commonalty of the City of New York, parties of the first part, and the persons named in the resolutions hereinafter set forth, who shall duly sign and execute this agreement, and their successors, associates and assigns, duly becoming parties thereto, as hereinafter provided, of the second part:

Whereas, The said parties of the first part, in Common Council convened, did, on the fourth day of June, one thousand eight hundred and fifty-one, duly pass and adopt the following resolutions, which were afterwards, and on the thirtieth day of July, in said year, duly signed and approved by the Mayor of said city, and became operative and binding in the words and figures following:

Resolved, That the persons to whom permission is granted by the following resolutions, and those who may hereafter become associated with them, have the authority and consent of the Common Council to lay a double track for a railroad in the following streets, viz.: from a point at the intersection of Chambers street and West Broadway; thence along West Broadway to Canal street; thence along and down Canal street to Hudson street; thence along Hudson street and Eighth avenue to a point at or near Fifty-first street, and that said railroad be continued through the Eighth avenue to Harlem river whenever required by the Common Council, and as soon and as fast as said avenue is graded, upon the following stipulations and conditions, viz.:

Such track or tracks to be laid under the direction of the Street Commissioner, and on such grades as are now established or may hereafter be established by the Common Council; the said parties to become bound in a sufficient penalty to keep in good repair the space between the track and the space outside the same on either side, of at least eight feet in width of each street in which the rails are laid; and also that no motive power excepting horses be used below Fifty-first street, and upon the further condition that said parties shall place new cars on said railroad, with all the modern improvements, for the convenience and comfort of passengers; and that they run cars thereon each and every day, both ways, as often as the public convenience may require, under such direction as the Street Commissioner and the Common Council may from time to time prescribe.

3. And provided, also, that the said parties shall in all respects comply with the direction of the Street Commissioner and the Common Council in the building of said railroad and in the running of the cars thereon, and in any other matters connected with the regulation of said railroad.

4. And provided, also, that the said parties shall, before this permission takes effect, enter into a good and sufficient agreement with the Mayor, Aldermen and Commonalty of the City of New York, to be drawn and approved by the Counsel to the Corporation, binding themselves to abide by and perform the stipulations and provisions herein contained, and also all such other resolutions or ordinances as may be passed by the Common Council relating to the said road.

5. And further, that they run a car thereon each and every day, both ways, as often as every fifteen minutes from five to six o'clock A. M., and every four minutes from six o'clock A. M. to eight o'clock P. M.; every fifteen minutes from eight o'clock P. M. to twelve o'clock P. M.; and every thirty minutes from twelve o'clock P. M. to five o'clock A. M., and as much oftener as public convenience may require, under such directions as the Common Council may from time to time prescribe.

6. Also, that the rate of passage on said railroad shall not exceed a greater sum than five cents for the entire length of said road; and also that the Common Council shall have the power to cause the same, or any part thereof, to be taken up at any time they may see fit; and also, that the said parties, or either of them, shall not assign their interests in the said road without first obtaining the consent of the Common Council thereto; also, that such track or tracks shall be laid upon a foundation of concrete, with a grooved rail or such other rail as may be approved by the Street Commissioner, even with the surface of the streets through which they may pass; and shall be commenced within three months and completed to Fifty-first street within one year, and from Fifty-first street to the Harlem river within three years from the passage of this resolution; also, that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Fifty-first street; that the said parties are to keep an account of the receipts of each road monthly, and report the same to the Comptroller monthly under oath; that the said parties shall connect their road with such other road as the Common Council may order to be connected therewith; that they shall file with the Comptroller a statement, under oath, of the cost of each mile of road completed, and agree to surrender, convey and transfer the said road to the Corporation of the City of New York, whenever required so to do, on payment by the Corporation of the cost of said road as appears by said statements, with ten per cent. advance thereon; that said parties, on being required at any time by the Corporation, and to such extent as the Common Council shall determine, shall take up, at their own expense, said rails, or such part thereof as shall be required, and, in failure so to do in ten days after such requirements, the same may be done at their expense by the Street Commissioner.

Resolved, That each of said passenger cars to be used on said road shall be annually licensed by the Mayor; and there shall be paid, annually, for each license such sum as the Common Council shall hereafter determine.

Resolved, That the permission granted to lay or build a railroad track in the following streets, viz.: From a point at the intersection of West Broadway and Chambers street; thence through West Broadway to Canal street, down Canal street to Hudson street, along Hudson street and Eighth avenue to Harlem river, be granted and given to John Pettigrew, Edmund R. Sherman, Solomon Kipp, Abraham Brown, Washington Smith, Joseph N. Barnes, John O'Keefe, John L. Durvee, Jesse A. Marshall and Timothy Townsend; and

Whereas, Said parties of the first part, on the said fourth day of June, one thousand eight hundred and fifty-one, in Common Council convened, did duly pass and adopt certain other resolutions, which were likewise duly signed and approved by the said Mayor, on the said thirtieth day of July, one thousand eight hundred and fifty-one, and became operative and binding, providing for the laying or building of another railroad, designated as the Sixth Avenue Railroad, provided for in said resolutions hereinbefore set forth, designated as the Eighth Avenue Railroad; and, further, providing and directing that such parts of the Eighth Avenue Railroad as may be used by the Sixth avenue road, from the connection in Canal street and West Broadway to Chambers street, should be built at the joint expense of said Sixth and Eighth avenue roads.

And whereas, It is deemed necessary by the said parties of the first part, in order to preserve and duly effectuate the grants, objects and stipulations and intentions of the said resolutions, and for the purpose of more specifically determining the interest of the said parties in the rights and privileges granted by said resolutions, that provision should be made for an organization or association between the said parties of the second part, their successors, associates and assigns, duly admitted, according to this agreement, defining the mode in which the necessary capital for building the said railroad shall be contributed, and the manner in which the construction and management of the said railroad shall be conducted and controlled. Now, it is hereby mutually declared that the separate and individual interest of any or either of the said parties of the second part, their successors, associates, and assigns, in the said grant; and all licenses, rights, privileges and powers, conferred or provided for in the said resolutions shall be conditioned and dependent upon the strict observance, performance and fulfillment by such person of the terms of said resolutions and of this agreement; and that in case of failure to perform the same, and every part thereof, said grant shall be inoperative as to such person so failing, and his interest therein shall cease and determine; said grant remaining operative in every respect as to all other of said parties, their successors, associates and assigns. And it is hereby covenanted, agreed, and declared by and between the parties aforesaid, as follows, viz.:

First—The said parties of the second part, for themselves and their successors, associates, and assigns, do hereby covenant and agree with the said parties of the first part, and with each other, that they will well and truly observe, perform, fulfill and keep the said resolutions hereinbefore particularly set forth, and all and every the provisions, stipulations, restrictions and conditions therein contained and thereby imposed, according to the true intent and meaning thereof; it being understood that the rate of passage on said road shall not exceed five cents for any distance; and, also, that the said road shall be completed at the times and in the manner stated in said resolutions.

Second—The said parties of the second part, to the end that the provisions and intentions of the said resolutions may be fully carried into effect, the interests of the respective parties definitely ascertained, and the manner in which the construction and management of said road shall be conducted and controlled effectually defined, do further covenant and agree with the said parties of the first part, and with each other, to associate and organize themselves together in the manner and upon the terms and conditions following, viz.:

Within ten days after the agreement is duly executed the said parties of the second part, unless they, or a majority of them, shall have previously organized themselves to the same effect, as herein provided, shall and will organize themselves into an association or company, to be called the Eighth Avenue Railroad Company, for the purpose of constructing, operating and managing said railroad; the first meeting of the said parties to be called by the Clerk of the Common Council, who shall, within three days after the due execution of this agreement, give, or cause to be given, a notice in writing, delivered to the persons composing the said parties of the second part, personally, or left at their residence or places of business, specifying the time and place when and where such meeting shall be held.

The said parties of the second part, or as many of them as shall meet in pursuance of said notice, shall thereupon proceed, as before provided, to organize themselves into the said company, and shall have power and authority, by the votes of a majority of the parties so assembled:

1. To estimate and declare the amount of capital requisite to construct the said railroad, provide cars, motive power, stations, buildings, fixtures, and for all other expenses requisite to put the said railroad into thorough practical operation.

2. To prescribe the mode in which said capital and all other sums that may thereafter be required for the business of said company shall be subscribed for, and the time or times when the same shall be paid in, and the manner in which the shares and interests of the parties refusing or neglecting to subscribe or to pay may be forfeited.

3. To adopt suitable resolutions, by-laws, rules and regulations for the organization of said company, the subscription and payment of its capital and all other sums that may thereafter be required for its construction, operation and future business, the execution of contracts, the liability of members, the terms, compensation, accountability, election, removal and duties of its officers; the disbursements of moneys, the transfer or assignment of shares of its members, and the entire management, direction and control of its affairs, business, property and officers. Such by-laws may be altered from time to time in the manner prescribed therein.

Third—The said parties of the second part shall be entitled to subscribe equally for the amount proposed as the original capital stock of said company, and if any of them neglect to subscribe less than his proportion, the others may subscribe equally for the remainder, so as to make up a subscription for the whole amount. If for any reason it shall be requisite to make other subscriptions, the persons who shall then be members of said company shall be entitled to subscribe for the amount so required in proportion to the amounts of capital stock then held by them; and if any shall neglect to subscribe, or shall subscribe for less than his proportion, the others may subscribe equally for the remainder.

Fourth—Every person refusing or neglecting to subscribe to the capital stock of said company as originally declared, or to any subsequent increase thereof, or to pay his subscription or any installment thereof, at the times prescribed at the first meeting of said company, as aforesaid, or by the resolutions or by-laws of the said company, all his rights, powers and privileges under said grant of the parties of the first part, and all his interest therein, shall be deemed to be freely and voluntarily waived and abandoned for the benefit of said company and its remaining members, and shall cease, determine and be utterly null and void; and he shall no longer be a member of said company, nor have any voice in the management of its affairs, nor any title or interest in its property; but such waiver and abandonment shall not be deemed to have taken place until twenty days shall have elapsed after such person shall have had written notice of the required subscription or payment. But such person may, by a duly adopted resolution by said company, be reinstated in any or all of the rights, privileges and advantages so as aforesaid waived and lost, but upon such terms and conditions as may be thereby provided.

Fifth—Every person who shall become a member of said company shall thereby become a party to this agreement and all its conditions and stipulations; and the company may direct the mode by which future members shall become so obligated; and no person shall become a member except on condition of becoming so obligated by agreement, in writing, duly executed.

Sixth—The said railroad grant, property, rights and appurtenances shall belong to and be the property of the persons who, for the time being, shall compose the said Eighth Avenue Railroad Company, in proportions equivalent to their shares of said capital stock; subject, however, to the management of the same, in the manner herein provided.

Seventh—Any shareholder may transfer his shares or interest after he shall have paid one-third of his original subscription on procuring the consent of a majority in interest of the shareholders, expressed by a resolution duly adopted; subject, however, to the provisions of this agreement, and on such terms and conditions as the by-laws may prescribe.

Eighth—This company shall not be dissolved by the death or insolvency of any of its members, nor by act or operation of law, but in such and the like cases shall continue, and the person becoming lawfully entitled to the shares shall become members of the said company; and said company shall have authority to incorporate themselves under the general railroad act, whenever two-thirds in interest of the shareholders shall require the same.

In witness whereof, to one part of these presents, remaining with the said parties of the first part, the said parties of the second part have affixed their hands and seals; and to the other part thereof, remaining with the said parties of the second part, the said parties of the first part have caused the common seal of the City of New York to be affixed the day and year first above written.

JOHN PETTIGREW.

[L. S.]

JOHN J. DURVEE.

[L. S.]

E. R. SHERMAN.

[L. S.]

WASHINGTON SMITH.

[L. S.]

JESSE A. MARSHALL.

[L. S.]

SOLOMON KIPP.

[L. S.]

TIMOTHY TOWNSEND.

[L. S.]

J. N. BARNES.

[L. S.]

JOHN O'KEEFE.

[L. S.]

ABRAHAM BROWN.

[L. S.]

Sealed and delivered in presence of

HENRY H. ANDERSON, as to Sherman, Pettigrew, Marshall, Townsend and the others.

City and County of New York, ss.:

On the sixth day of September, one thousand eight hundred and fifty-one, before me personally came Edmund R. Sherman; on the eighth day of said month before me personally came John Pettigrew; on the tenth day of said month before me personally came Jesse A. Marshall and Timothy Townsend; on the thirteenth day of said month before me personally came John O'Keefe and John J. Durvee, and on the fifteenth day of said month before me personally came Washington Smith, Solomon Kipp, Joseph N. Barnes and Abraham Brown, all of whom are known to me to be the persons described in and who executed the foregoing agreement; and the said parties above named, severally upon the days above named, acknowledged that they executed said foregoing instrument.

HENRY H. ANDERSON, Commissioner of Deeds.

EXHIBIT "A2"—SIXTH AVENUE RAILROAD.

Agreement made this sixth day of September, in the year one thousand eight hundred and fifty-one, between the Mayor, Aldermen and Commonalty of the City of New York, parties of the first part, and the persons named in the resolutions hereinafter set forth, who shall duly sign and execute this agreement, and their successors, associates and assigns, duly becoming parties thereto, as hereinafter provided, of the second part.

Whereas, The said parties of the first part, in Common Council convened, did, on the fourth day of June, one thousand eight hundred and fifty-one, duly pass and adopt the following resolutions, which were afterwards, and on the thirtieth day of July, in said year, duly signed and approved by the Mayor of said city, and became operative and binding in the words and figures following:

Resolved, That the persons to whom permission is granted by the following resolutions, and those who may hereafter become associated with them, have the authority and consent of the Common Council to lay a double track for a railroad in the following streets, viz.: From a point at the intersection of Chambers street and West Broadway, thence along West Broadway to Canal street, thence along and down Canal street to Hudson street, thence along Hudson street and Eighth avenue to a point at or near Fifty-first street; and that said railroad be continued through the Eighth avenue to Harlem river, whenever required by the Common Council, and as soon and as fast as said avenue is graded, upon the following stipulations and conditions, viz.: Such track or tracks to be laid under the direction of the Street Commissioner, and on such grades as are now established or may hereafter be established by the Common Council, the said parties to become bound in a sufficient penalty to keep in good repair the space between the track and the space outside the same, on either side, of at least eight feet in width, of each street in which the rails are laid; and also, that no motive power, excepting horses, be used below Fifty-first street; and upon the further condition that said parties shall place new cars on said railroad, with all the modern improvements, for the convenience and comfort of passengers; and that they run cars thereon, each and every day, both ways, as often as the public convenience may require, under such direction as the Street Commissioner and Common Council may from time to time prescribe.

And provided, also, that the said parties shall in all respects comply with the direction of the Street Commissioner and of the Common Council in the building of said railroad and in the running of the cars thereon, and in any other matters connected with the regulation of said railroad.

And provided, also, that the said parties shall, before this permission takes effect, enter into a good and sufficient agreement with the Mayor, Aldermen and Commonalty of the City of New York, to be drawn and approved by the Counsel to the Corporation, binding themselves to abide by and perform the stipulations and provisions herein contained, and also all such other resolutions or ordinances as may be passed by the Common Council relating to the said road;

And further, that they run a car thereon each and every day, both ways, as often as every fifteen minutes from five to six o'clock P. M.; and every four minutes from six o'clock A. M. to eight o'clock P. M., every fifteen minutes from eight o'clock P. M. to twelve o'clock P. M., and every thirty minutes from twelve o'clock P. M. to five o'clock A. M., and as much oftener as public convenience may require, under such directions as the Common Council may from time to time prescribe.

Also, that the rate of passage on said railroad shall not exceed a greater sum than five cents for the entire length of said road; and also, that the Common Council shall have the power to cause the same, or any part thereof, to be taken up at any time they may see fit; and also, that the said parties, or either of them, shall not assign their interests in the said road without first obtaining the consent of the Common Council thereto; also, that such track or tracks shall be laid upon a foundation of concrete, with a grooved rail, or such other rail as may be approved by the Street Commissioner, even with the surface of the streets through which they may pass, and shall be commenced within three months, and completed to Fifty-first street within one year, and from Fifty-first street to the Harlem river within three years, from the passage of this resolution; also, that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Fifty-first street; that the said parties are to keep an account of the receipts of each road monthly, and report the same to the Comptroller monthly, under oath; that the said parties shall connect their road with such other road as the Common Council may order to be connected therewith; that they shall file with the Comptroller a statement, under oath, of the cost of each mile of road completed, and agree to surrender, convey and transfer the said road to the Corporation of the City of New York, whenever required so to do, on payment by the corporation of the cost of said road, as appears by said statements, with ten per cent. advance thereon.

That said parties, on being required at any time by the Corporation, and to such extent as the Common Council shall determine, shall take up, at their own expense, said rails, or such part thereof as shall be required; and in failure so to do in ten days after such requirements the same may be done at their expense by the Street Commissioner.

Resolved, That the persons to whom permission is granted by the following resolutions have the authority and consent of the Common Council to lay a single track in the following streets: Commencing at the corner of Chambers street and West Broadway, through Chambers street to Church street, through Church street to Canal street, and through Canal street to Wooster street, through Wooster street to Fourth street, to Thompson street, with a single track; thence with a double track through Fourth street and Sixth avenue to Harlem; also to lay a single track in Thompson street, from Fourth street to Canal street and to connect with the Eighth Avenue Railroad, and extend the same up Sixth avenue to Harlem river whenever required by the Common Council, and as soon and as fast as said avenue is graded sufficiently to permit such track to be laid, upon the same terms, stipulations and conditions as are provided in the annexed resolutions in relation to the railroad upon the Eighth avenue, except that no motive power except horses shall be used below Forty-second street; that said railroad upon the Sixth avenue shall be commenced within three months, and completed to Forty-second street within one year, and from Forty-second street to the Harlem river within three years from the passage of this resolution; also that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Thirty-second street; and that such parts of the Eighth avenue road as may be used by the Sixth avenue road, from the connection in Canal street and West Broadway to Chambers street, shall be built at the joint expense of the said Sixth and Eighth avenue roads.

Resolved, That each of said passenger cars to be used on said roads shall be annually licensed by the Mayor; and there shall be paid annually for each license such sum as the Common Council shall hereafter determine.

Resolved, That the permission granted to lay or build a railroad in the following streets, viz.: Commencing at a point at the intersection of West Broadway and Chambers street, thence through Chambers street to Church street, through Church street to Canal street, through Canal street to Wooster street, through Wooster street to Fourth street, with a single track; thence through Fourth street to Sixth avenue, and through Sixth avenue to Harlem, with a double track; also to lay a single track in Thompson street, from Fourth street to Canal street, to connect with the Eighth Avenue Railroad, be given to James S. Libby, George R. Howell, William Flagg, William H.

Adams, John Post, Junior, Edmund Morris, Matthew D. Green, John Ridley, William Ebbitt, Ward Bolster & Jacacks, Finch, Sanderson & Beers; and

Whereas, Said parties of the first part, on the said fourth day of June, one thousand eight hundred and fifty-one, in Common Council convened, did duly pass and adopt certain other resolutions, which were likewise duly signed and approved by the said Mayor on the said thirtieth day of July, one thousand eight hundred and fifty-one, and became operative and binding, providing for the laying or building of another railroad, designated as the Eighth Avenue Railroad, provided for in said resolutions hereinbefore set forth, designated as the Eighth Avenue Railroad; and further providing and directing that such parts of the Eighth Avenue Railroad as may be used by the Sixth Avenue road, from the connection in Canal street and West Broadway to Chambers street, should be built at the joint expense of said Sixth and Eighth Avenue roads; and

Whereas, It is deemed necessary by the said parties of the first part, in order to preserve and duly effectuate the grants, objects, stipulations and intentions of the said resolutions, and for the purpose of more specifically determining the interest of the said parties in the rights and privileges granted by said resolutions, that provision should be made for an organization or association between the said parties of the second part, their successors, associates and assigns, duly admitted according to this agreement defining the mode in which the necessary capital for building the said railroad shall be contributed, and the manner in which the construction and management of the said railroad shall be conducted and controlled;

Now, It is hereby mutually declared that the separate and individual interest of any or either of the said parties of the second part, their successors, associates and assigns, in the said grant, and all licenses, rights, privileges and powers conferred or provided for in the said resolutions shall be conditioned and dependent upon the strict observance, performance and fulfillment by such person of the terms of said resolutions and of this agreement; and that in case of failure to perform the same and every part thereof, said grant shall be inoperative as to such person so failing, and his interest therein shall cease and determine, said grant remaining operative in every respect as to all other of said parties, their successors, associates and assigns; and it is hereby covenanted, agreed and declared by and between the parties aforesaid as follows, viz.:

First—The said parties of the second part, for themselves and their successors, associates and assigns, do hereby covenant and agree with the said parties of the first part, and with each other, that they will well and truly observe, perform, fulfill and keep the said resolutions hereinbefore particularly set forth, and all and every the provisions, stipulations, restrictions and conditions therein contained and thereby imposed, according to the true intent and meaning thereof; it being understood that the rate of passage on said road shall not exceed five cents for any distance, and also that the said road shall be completed at the times and in the manner stated in said resolutions.

Second—The said parties of the second part, to the end that the provisions and intentions of the said resolutions may be fully carried into effect, the interests of the respective parties definitely ascertained, and the manner in which the construction and management of said road shall be conducted and controlled effectually defined, do further covenant and agree with the said parties of the first part, and with each other, to associate and organize themselves together in the manner and upon the terms and conditions following, viz.:

Within ten days after this agreement is duly executed the said parties of the second part, unless they, or a majority of them, shall have previously organized themselves to the same effect as herein provided, shall and will organize themselves into an association or company, to be called the Sixth Avenue Railroad Company, for the purpose of constructing, operating and managing said railroad; the first meeting of the said parties to be called by the Clerk of the Common Council, who shall, within three days after the due execution of this agreement, give, or cause to be given, a notice in writing, delivered to the persons composing the said parties of the second part, personally, or left at their residence or places of business, specifying the time and place when and where such meeting shall be held. The said parties of the second part, or as many of them as shall meet in pursuance of said notice, shall thereupon proceed, as before provided, to organize themselves into the said company, and shall have power and authority, by the votes of a majority of the parties so assembled.

1. To estimate and declare the amount of capital requisite to construct the said railroad, provide cars, motive power, stations, buildings, fixtures, and for all other expenses requisite to put the said railroad into thorough practical operation.

2. To prescribe the mode in which said capital, and all other sums that may thereafter be required for the business of said company, shall be subscribed for, and the time or times when the same shall be paid in, and the manner in which the shares and interests of the parties refusing or neglecting to subscribe or to pay may be forfeited.

3. To adopt suitable resolutions, bye-laws, rules and regulations for the organization of said company, the subscription and payment of its capital, and all other sums that may thereafter be required for its construction, operation and future business, the execution of contracts, the liability of members, the term, compensation, accountability, election, removal, and duties of its officers, the disbursement of monies, the transfer or assignment of the shares of its members, and the entire management, direction and control of its affairs, business, property and officers. Such bye-laws may be altered from time to time in the manner prescribed therein.

Third—The said parties of the second part shall be entitled to subscribe equally for the amount proposed as the original capital stock of said company; and if any of them neglect to subscribe, or shall subscribe less than his proportion, the others may subscribe equally for the remainder, so as to make up a subscription for the whole amount. If, for any reason, it shall be requisite to make other subscriptions, the persons who shall then be members of said company shall be entitled to subscribe for the amount so required, in proportion to the amounts of capital stock then held by them; and if any shall neglect to subscribe, or shall subscribe for less than his proportion, the others may subscribe equally for the remainder.

Fourth—Every person refusing or neglecting to subscribe to the capital stock of said company as originally declared, or to any subsequent increase thereof, or to pay his subscription or any instalment thereof, at the times prescribed at the first meeting of said company as aforesaid, or by the resolutions or bye-laws of the said company, all his rights, powers, and privileges, under said grant of the parties of the first part, and all his interest therein, shall be deemed to be freely and voluntarily waived and abandoned for the benefit of said company and its remaining members, and shall cease, determine, and be utterly null and void; and he shall no longer be a member of said company, nor have any voice in the management of its affairs, nor any title or interest in its property. But such waiver and abandonment shall not be deemed to have taken place until twenty days shall have elapsed after such person shall have had written notice of the required subscription or payment. But such person may, by a resolution duly adopted by said company, be reinstated in any or all of the rights, privileges, and advantages so as aforesaid waived and lost; but upon such terms and conditions as may be thereby provided.

Fifth—Every person who shall become a member of said company shall thereby become a party to this agreement and all its conditions and stipulations; and the company may direct the mode by which future members shall become so obligated; and no person shall become a member except on condition of becoming so obligated by agreement, in writing, duly executed.

Sixth—The said railroad grant, property, rights and appurtenances shall belong to and be the property of the persons who, for the time being, shall compose the said Sixth Avenue Railroad Company, in proportions equivalent to their shares of said capital stock; subject, however, to the management of the same in the manner herein provided.

Seventh—Any shareholder may transfer his shares or interest, after he shall have paid one-third of his original subscription, on procuring the consent of a majority in interest of the shareholders, expressed by resolution duly adopted, subject, however, to the provisions of this agreement, and on such terms and conditions as the bye-laws may prescribe.

Eighth—This company shall not be dissolved by the death or insolvency of any of its members, nor by act or operation of law, but in such and the like cases shall continue, and the persons becoming lawfully entitled to the shares shall become members of the said company, and said company shall have authority to incorporate themselves under the general railroad act whenever two-thirds in interest of the shareholders shall require the same.

In witness whereof, to one part of these presents, remaining with the said parties of the first part, the said parties of the second part have affixed their hands and seals; and to the other part thereof, remaining with the said parties of the second part, the said parties of the first part have caused the common seal of the City of New York to be affixed, the day and year first above written.

WM. H. ADAMS.	[L. S.]	MATTHEW DAVIS GREENE.	[L. S.]
JOHN POST, JR.	[L. S.]	JOHN RIDLEY.	[L. S.]
EDMUND MORRIS.	[L. S.]	WM. EBBITT.	[L. S.]

Sealed and delivered in presence of—The words "to Thompson street with a single track," and the words "Fourth street to" being interlined, and the words "to Fourth street," all on the fifth page, being struck out with the pen before execution; and also the word "in" on eighth page being written on an erasure before execution.

H. H. ANDERSON, as to Libby, Howell, Flagg, Green, Ebbitt & Adams and Morris.

In presence of CARLTON EDWARDS, as to John Post, Junior; and BERD. J. MALONE, as to J. Ridley.

City and County of New York, ss.:
On the ninth day of September, one thousand eight hundred and fifty-one, before me personally came James S. Libby, George R. Howell, William Flagg, William H. Adams, Matthew D. Greene and William Ebbitt, and on the fifteenth day of September, in the same year, before me personally came Edmund Morris, all of whom were known to me to be persons described in and who executed the foregoing instrument, and severally acknowledged that they executed the same; and on the nineteenth day of September, one thousand eight hundred and fifty-one, before me personally came Carlton Edwards, a subscribing witness to said instrument to me known, who, being by me duly sworn, did depose and say that he resides in the City of New York; that he knew John Post, Jr., and knew him to be one of the persons described in and who executed the foregoing instrument; that he saw him sign the same; that he acknowledged in his presence that he

executed the same, and that he subscribed his name as a witness thereto. And on the same day before me personally came Bernard J. Malone, one of the subscribing witnesses to said instrument, to me known who, being by me duly sworn, did depose and say that he resides in the City of New York; that he knew John Ridley, and knew him to be one of the persons described in and who executed the foregoing instrument; that he saw him sign the same; that he acknowledged in his presence that he executed the same, and that he subscribed his name as a witness thereto.

HENRY H. ANDERSON, Commissioner of Deeds.

EXHIBIT "B."

OFFICE OF H. J. BAKER & BRO., NO. 95 WILLIAM STREET, NEW YORK CITY, April 7, 1897. To the Mayor, Aldermen and Commonalty of the City of New York, to the Comptroller of the City of New York, to the Commissioners of the Sinking Fund of the City of New York:

GENTLEMEN—An examination of the public records of this city shows that the City is in a position to dispose of two valuable street-car franchises, to wit: Those now being operated by the Metropolitan Street Railway Company and known, respectively, as the "Eighth Avenue Railroad" and "Sixth Avenue Railroad" (the latter including the road operated on Lenox avenue above Central Park). Both of these franchises were granted by the Common Council in September, 1851, subject to the express condition, as to the Eighth Avenue Road, that no motive power excepting horses should be used below Fifty-first street, and, as to the Sixth Avenue Road, that no motive power excepting horses should be used below Forty-second street, and as to both roads, that the licensees and grantees should surrender, convey and transfer the said roads, respectively, to the Corporation of the City of New York whenever required so to do on payment by the Corporation of the cost of said road with ten per cent. advance thereon.

While up to the present time it may not have been incumbent upon the City officials to take any action in regard to these franchises as the successors in interest of the original parties have been operating them practically in accordance with the respective charters, it seems proper at this time that the City should exercise its right of re-entry as the parties in interest have given notice that they intend to act independently of the franchises and, in direct violation of their conditions, intend to change the motive power from that to which the franchises expressly limits them.

The initiative, therefore, having come from those parties themselves, there can be no adverse criticism if the City shall step in at this time and exercise the rights which, by the wisdom and forethought of the members of the Common Council of 1851, were wisely preserved.

I offer and am prepared to pay the sum of one million dollars for each of the above-mentioned franchises (taking either or both), to be paid in cash on receipt of the proper resolutions, and I also agree to convey such franchises or have them delivered direct, as the Corporation Counsel shall advise, to a railroad corporation to be organized so as to comply with the law in that respect, the incorporation whereof shall be approved by such Corporation Counsel, and I agree to accept, or cause to be so accepted, such franchises, or either of them, subject to conditions, as follows:

1. That in addition to such sum of one million dollars for each franchise I will pay all sums which the City of New York will be required to pay to the owners of such roads and franchises, representing the cost of construction and ten per cent. additional, as required by said contract of September, 1851.

2. That in addition to such sums, representing the purchase price, there shall be paid, as provided by law, to the City of New York, an annual charge equal to three per cent. of the gross proceeds for the first five years and five per cent. thereafter, but such sum in no year to be less than fifty thousand dollars on each road.

3. That the motive power used shall be approved by the proper officers of the City of New York and the Board of Railroad Commissioners of the State of New York, and shall exclude steam-power.

4. That such franchises shall be subject to such provisions as shall be established by the City of New York and the said Board of Railroad Commissioners as to exchange of passengers with any and all connecting street surface railways, it being my intention that the said roads shall accept transfers from all connecting roads and to give transfers to all which will accept them.

I also agree that if such franchises, or either of them, are delivered to me, or such corporation organized by me, that I will properly indemnify the City of New York against any loss or damage by reason of its action in so doing, and that such indemnity shall be in the form and manner to be approved by the Corporation Counsel in the sum of at least \$50,000; and I further agree that if at any time it shall be adjudged that the City of New York was not authorized to deliver such franchises, that neither myself nor my assigns shall have any claim or make any demand for damages by reason thereof.

In making this proposition and requesting these franchises, I have endeavored to put a fair and proper value upon them and to suggest limitations and conditions that will be satisfactory to the City and advantageous to the public, and in case any question shall arise as to whether such franchises should be sold at auction, I am prepared to bid the above amounts on the above conditions, and if the proper officers of the City will advertise the same I will forthwith enter into a bond of \$50,000 that I will bid the above amounts on the sales thereof.

Trusting that my request will receive your favorable consideration, I am,

Yours, very respectfully,

HENRY J. BRAKER.

EXHIBIT "C."

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, NO. 33 WALL STREET, NEW YORK, April 7, 1897. To the Mayor, Aldermen and Commonalty of the City of New York, to the Comptroller of the City of New York, to the Commissioners of the Sinking Fund of the City of New York:

GENTLEMEN—This is to advise you that we are prepared forthwith to execute for H. J. Braker either or both of the bonds of \$50,000 each referred to in his communication of this date to you in regard to the purchase of the franchise of the railroads of the Sixth and Eighth Avenue Companies.

Yours truly, FIDELITY & DEPOSIT COMPANY OF MARYLAND, H. P. PLATT, Vice-President.

This is a copy of a letter, the original whereof is included in the communication sent to the Mayor.

EXHIBIT "D."

To the Mayor, Aldermen and Commonalty of the City of New York, to the Comptroller of the City of New York, to the Commissioners of the Sinking Fund of the City of New York:

GENTLEMEN—In submitting to you, on behalf of my client, Henry J. Braker, a proposition to purchase the franchises for the street-surface railroads, generally known as the Sixth and Eighth Avenue Railroads, permit me to briefly state Mr. Braker's position, and the grounds for his believing that it would not only be eminently proper, but that it is also the duty of the proper officers of this city to accept his offer, unless other parties are willing to give a larger sum, in which case it would certainly be the duty of the city officials to expose the franchises for sale, and so realize for the city their actual market value.

First—The franchises are entirely under the control of the city, and the parties now operating the railroads on those streets and avenues at the present time are practically only tenants at will for a mere nominal rental (as to keeping certain portions of the streets in order), and are occupying, as it were, the premises until the city is prepared to re-enter and take possession under the existing contract, and then to realize the full actual value, which was evidently the intention of the Common Council of 1851.

Second—The agreement of September, 1851, under which both franchises were granted, expressly provided that at any time the city could re-enter and repossess itself of the streets free and clear of the tracks on payment to the licensees of the cost and ten per cent. in addition.

By this provision the parties who took the risk of building the roads were fully assured against loss, and were allowed all they could make from year to year so long as the city permitted them to use those streets, and they incurred no liability. Thus it was a perfectly safe bargain for them, and it will be no hardship on them or their successors whenever the city should exercise the right which the city expressly reserved as a condition for granting the favorable terms of the charter.

The present owners having acquired the roads with full knowledge of the condition of the franchise cannot claim that the city should not exercise undoubted right to re-enter, as that was one of the risks which they assumed when they acquired the stock of the companies operating under the franchises. The case is exactly the same as though it affected private property, and can be compared to what is happening every day in this city.

An owner of a block of property uptown, having no present use therefor, permits a vegetable gardener to occupy it on a monthly lease, at a nominal rental. As years go by, the land becomes enormously valuable, but still the owner does not disturb his tenant until at last the time comes when the land is either sold or improved; then the owner must necessarily ask the tenant to vacate the premises; meanwhile, however, the tenant has sold his business to another gardener with notice of the nature of his lease. Can that tenant complain? Will anyone say that simply because the land has been so profitable during these years; that because the rent has been so cheap, when rents of surrounding property were so high; that because the lot of the tenant was so happy that the landlord who had been so considerate for so many years must forever forego the full use of his property.

Now that is exactly the position taken by the present owners of the Sixth and Eighth Avenue Railroads. For years they have enjoyed without expense the right to operate these railroads through the most thickly populated parts of the City of New York on condition that they would surrender the right so to do whenever the city demanded possession and reimbursed them for the actual cost and ten per cent. additional. Having taken possession of a piece of property subject to an outstanding option, they certainly cannot complain if the holder of the option exercises the right of acquisition on the terms of which they had due notice.

Third—This is the proper time for the city to exercise its right under the contract of 1851, as the licensees have themselves, without warrant or authority, attempted to exercise rights of ownership entirely inconsistent with, and, in fact, in direct violation of the terms of the existing franchises, thus showing an absolute disregard of their obligation to the city. They propose at this time to change the entire nature of the franchises and to use a motive power expressly prohibited thereby, and subject to which express prohibition the franchises were granted.

The initiative, therefore, having come from the licensees themselves, the city should promptly act upon its rights and prevent any possibility of a claim being made that by any acquiescence as to the proposed changes, either active or passive on its part, it has in any way, by implication or estoppel, waived the valuable rights reserved in the franchises.

Fourth—The city has never in any way waived any of its rights under the contracts of 1851, and its not having enforced the surrender clause up to the present time does not in any way operate as a waiver of such rights whenever it shall elect to exercise them. Up to the present time it has not been in a position where it was obliged to act or lose any substantial right. The franchises have been steadily increasing in value as the city increased in area and population, and the city could afford to wait until the proper time before electing to avail of the surrender rights. But the time has now arrived when it cannot afford to wait any longer.

1. Because the value is now fixed, and the amounts offered are minimum amounts which the city is sure to receive, and it is also indemnified and saved harmless from all expense, liability and damages, and the city is now in a position where, by availing of its plain legal rights, it can receive for franchise property which is proper for it to sell \$2,000,000, and an annual income of at least \$100,000, which is entirely in excess of the amount now received.

2. Because, if it does not now avail of its contract rights under the agreements of 1851, it will probably never be able to do so again. If the motive power is changed under color of law, the proposed expenditure of \$3,000,000 will be added to the cost, and 10 per cent. in addition thereto would amount to \$300,000. This would practically nullify the city's rights, as while it would be feasible (as has actually happened) to find a purchaser at an advance of a million dollars, plus the cost and 10 per cent. of the present road, it would probably be impracticable to find a purchaser after the improvements have been made, who would bid the present cost, improvements and 10 per cent. on all expenditures, in which event the city would lose the benefit of a million dollars and fifty thousand dollars per annum on each franchise.

Fifth—The advantages, however, that will accrue to the city by accepting Mr. Braker's proposition will be far greater than those alluded to which are of a pecuniary nature only.

It is as much the duty of the city officials to protect the rights of citizens as to local transportation as it is to wisely and economically administer the city's finances, and there can be no doubt that the franchises which Mr. Braker offers to accept will greatly increase the facilities of local transportation. At present there are but few points of transfer on either road. No transfers are given to or accepted from many of the intersecting and connecting street-surface roads, and the traveling public are compelled to pay double fares from points within short distances.

At the present moment the demand is essentially for single fares. The public are entitled to it. Street railroad companies are operated on franchises received from the people, and the people are entitled to recognition, and should not be compelled to pay double fare because it so happens that different and competing corporations have secured intersecting lines.

Mr. Braker meets this point by agreeing that the franchises shall be subject to provisions as to transfers that will compel these lines to accept transfers from and give transfers to all connecting and intersecting lines on such terms as the Common Council and Board of Railroad Commissioners shall determine. The fairness of this proposition and its advantage to the traveling public are too apparent to need any elaboration, and I simply wish to add that the clause regarding transfers was inserted in the proposition as it is now evident that no new franchises either should be, or will, be given by the public authorities unless these rights of the public are recognized and preserved.

Sixth—The city should avail of Mr. Braker's offer, as it is so made that the city is relieved of all responsibility and liability. If any question of liability should arise, Mr. Braker will be obliged to bear the expense, and the city will be amply indemnified against all loss; and, on the other hand, if the city is justified in accepting the offer, it is the gainer by \$2,000,000, besides an additional annual income of at least \$100,000; that is to say, the city has a fortune to gain and nothing to lose.

Seventh—The offer is not made by irresponsible parties or for the purpose of preventing the present licensees from carrying on a proposed line of improvements. It is made by a responsible citizen, who is amply able to carry out the terms of any contract which the city may make with him, and who tenders the highest class of security in substantial amount that he will fulfill the contract if it is made. Under such circumstances, I hardly think that his offer should be or will be refused.

Eighth—As to the legal aspects of the proposition, I have not entered into them at this time, as it has been my purpose to present the matter purely from a business point of view, and to call your attention to the advantages to be gained by the city's accepting the offer in that respect, well knowing that you would refer the matter for his opinion to my esteemed friend, Mr. Scott, in his official capacity as Corporation Counsel; and knowing as I do that his knowledge regarding all matters appertaining to city affairs far exceeds my own, I shall not attempt to anticipate him in expressing a legal opinion as regards this matter. I, however, would in this respect call your attention to the fact that, so far as the Eighth Avenue Road is concerned, the effect of the contract of September, 1851, and the relations of the owners of that franchise and the city, have been fixed and established by a judgment construing the agreement, thus making it res adjudicata, and that judgment has been affirmed by the Court of Appeals, putting it absolutely beyond doubt or question.

The case I refer to is that of the Mayor, etc., against the Eighth Avenue Railroad Company to recover license fees, and was commenced for the city by Mr. William C. Whitney, as Counsel to the Corporation, in 1881, and the complaint states that the contract of 1851 was the basis of the then existing franchise (which is now in exactly the same condition), the railroad company in its answer claiming that the Act of May 19, 1874, extending the route of the Eighth Avenue Railroad, superseded the said contract, and that the company was no longer subject to its terms and conditions, but was controlled only by the General Railroad Act. The court, however, expressly decided otherwise, and a judgment for \$43,062 was recovered by the city for license fees provided for in the original contract. On appeal, the then General Term of this Department affirmed the judgment (43 Hun, 614), and in July, 1889, the cause was argued in the Court of Appeals by that eminent lawyer, Mr. David J. Dean, by whose recent death the city has lost a most devoted and learned advocate. The points passed upon by the Court of Appeals, as appears by the briefs of counsel, fully cover all that can be raised at the present time, and the counsel for the railroad company very ably argued the point that the Act of 1874 superseded the contract of 1851, and that the company had acquired new rights thereunder which abrogated its liabilities under the original contract. On the other hand, Mr. Dean contended that the Act of 1874 did not relieve the company from any liabilities or alter its charter as set forth in the contract, and that it not only did not release the company from any liabilities, but that, if it had attempted so to do, it would have been unconstitutional.

Mr. Dean especially called attention in his brief to the important rights of the city under the contract, including that of demanding the surrender of the roads and to regulate the motive power, and claimed that the Legislature had no power to abrogate those rights, as any attempt so to do would be in violation of the Constitutions, both of the United States and the State of New York, as it would impair the obligation of a contract. The Court of Appeals, in affirming the judgment, delivered an opinion (Haight, J., 118 N. Y., 389) which fully sustained Mr. Dean on every point, and there can be absolutely no question as to the city's rights under the contracts.

Ninth—Inasmuch, therefore, as the city is in a position to avail of this offer, and to reap the benefit of provisions which were so wisely inserted in the contracts of 1851, I trust that you will favorably entertain it. Permit me to remain, Yours very respectfully,

CHARLES HENRY BUTLER, Attorney for Henry J. Braker, No. 1402 Broadway, New York City.

EXHIBIT "E."

DEPARTMENT OF PUBLIC WORKS, COMMISSIONER'S OFFICE, NEW YORK, April 6, 1897.

Permission is hereby given to the Eighth Avenue Railroad Company and the Metropolitan Street Railway Company, as its lessee, to take up the pavement and excavate such portions of the streets, avenues and highways along the line of railroad of the Eighth Avenue Railroad Company as now constructed and operated in the City of New York; that is to say:

Macomb's Dam road, between the Harlem river and One Hundred and Forty-ninth street, Eighth avenue, between the Harlem river and Hudson street, Hudson street, between Eighth avenue and Canal street, Canal street, between Hudson street and Broadway, and West Broadway, between Canal street and Vesey street, and Vesey street, between West Broadway and Church street, as may be necessary for the purpose of converting said lines of railroad from horse railroad to an electric railroad, operated by an underground current of electricity, under and pursuant to the authority given by the Board of Railroad Commissioners of the State of New York, by its order or consent, dated 19th of March, 1897, after due hearing had and it appearing that the owners of more than one-half in value of the property bounded on said line of railroad, with respect to which said change of motive power from horses to an underground current of electricity is desired to be made, as aforesaid, have consented thereto.

This permit is granted and accepted subject to construction of said electric railroad in accordance with the plans thereof filed by said Eighth Avenue Railroad Company and the Metropolitan Street Railway Company, upon their application for this permit to the Department of Public Works, and such modifications of such plans as have been or may be required by the Commissioner of Public Works; and also subject to the following terms, conditions and provisions, besides such further special conditions and restrictions as may be hereafter from time to time imposed by the Commissioner of Public Works in the public interests.

1. The construction and operation of the said railroad shall be subject to the terms of the charters of said companies and to the laws of the State of New York and ordinances of the City of New York, heretofore or hereafter enacted or adopted.

2. The said company shall obey and fulfill all the terms and conditions imposed by the ordinances of the Board of Aldermen granting permission to lay tracks and carry traffic over said streets, avenues or highways, and any violation of the same shall work a revocation of this permit which the Commissioner of Public Works may enforce on forty-eight hours' notice.

3. The construction of said railroad shall be so prosecuted as to cause as little inconvenience to public travel as practicable. Approaches and crossing on the line of the work shall be constructed in such manner, and of such material and at such places as may be required to relieve and facilitate public travel and business along and across the line. All surplus materials, earth, sand, rubbish and stones, shall be removed from the line of the work, block by block, as rapidly as the work progresses. Any piles or surfaces of earth shall be kept sufficiently sprinkled with water to lay and prevent inconvenience from dust, when required by the Water Purveyor. All the old blocks of paving stones shall be delivered by said companies at the corporation yards of the Department of Public Works as designated therefor by the Water Purveyor.

4. The electric system for the said railroad shall be so established and maintained as to prevent as far as possible, and by the best means available, from time to time, the transmission of and return of the electric current from the conductors intended therefor to and through water-pipes, gas-pipes and other underground pipe systems; and the said companies shall be responsible to the owners of said pipes for all damage to said pipes from electrolysis caused by said electric system, and will repair the same or pay the cost thereof upon demand.

Any dynamo used as a generator of electricity shall be of such pattern and construction as to be capable of producing a continuous current without appreciable pulsation.

5. The conduits for the conductors of electricity shall be so constructed as to admit of easy examination of and access to the conductors contained therein, and their insulators and supports; and, also, with all sumps for drainage shall be so constructed as to be readily cleared of accumulation of dust or other debris; and no such accumulation shall be permitted to remain therein; and also shall be laid to such grades and so connected to sewers as to be automatically cleared of water, without danger of the water reaching the level of the conductor; and each such connection with the sewers of the said conduit and of sumps for drainage shall be properly trapped so as to be made airtight; and there shall be paid by said companies to the Department of Public Works for each such connection an amount equal to the usual charge for house connections.

6. Tests and investigations shall be made daily during the operation of said electric railroad to ascertain as to any leakage of current before or after the hours of running when the line is fully charged; and if at any time it shall be found that the leakage current exceeds half an ampere per mile of railroad such leak shall be localized and removed as soon as practicable and the use of the electric current for the running of the cars shall be stopped unless such leak is localized and removed within twenty-four hours.

7. The tracks, switches and turnouts shall be laid with grooved rails on the lines and grades approved by the Commissioner of Public Works, and all rails, switches, frogs, conduits, special work and all details as to construction of said electric system shall be of a pattern to be submitted and approved by the Commissioner of Public Works before being laid or constructed.

Said companies shall submit detailed drawings of all switches, frogs, crossovers, turnouts, conduits and special work to the Commissioner of Public Works for acceptance, and no detail of this work shall project more than three-eighths of an inch above the tread of the rail.

8. The work of construction of said railroad shall be done so as not to interfere with the water-mains or surface connections, nor with the sewers or house connections, nor with connections in said streets, avenues or highways hereafter to be made with the water-mains or sewers; and whenever required the said companies shall furnish the labor and materials at their own expense and reconstruct and readjust sewers, lay and relay water-pipes and gas-pipes in accordance with the requirements and under the supervision of the Commissioner of Public Works.

All water-mains that are laid under and along the line of the conduits and tracks of said electric railroad shall be relaid by the said companies at least eighteen inches outside of the outer rails of the said railroad. No sump for drainage shall be built over any line of water or gas-mains crossing the said conduits and tracks. Wherever water-mains or sewers or connections therewith are encountered, the work at such points shall be stopped until proper plans and specifications are prepared and submitted to, and approved by the Commissioner of Public Works for necessary changes in the same before entering on the work; and any changes required in said pipes and connections shall be made in all respects in accordance with the specifications of the Department of Public Works.

9. Whenever, in the judgment of the Commissioner of Public Works, the safety, health or convenience of the public shall require the construction of manholes outside of the line of conduits and tracks of said electric railroad to give access to and connecting with sewers under or between the conduits and tracks of said electric railroad, such manholes shall be constructed of brick in a good, substantial and workmanlike manner, and the labor and materials therefor shall be furnished by and at the cost and expense of said companies, at such points and at as many points as may be required, by and under the direction of the Commissioner of Public Works, and in all respects in accordance with the plans and specifications thereof of the Department of Public Works.

10. All the frames and heads for sewers, manholes and for Croton water stop-cocks, on the line of the work shall be reset or new ones furnished and set if required on a level with the new pavement by the said companies, and only noiseless manhole covers and plates shall be used over any openings to sewers and to the electric conduits, and to sumps for drainage and to water stop-cocks.

11. The said companies shall furnish at their own cost and expense all the necessary materials and the labor, and in a good, firm and substantial manner, and strictly in accordance with the specifications of the Department of Public Works, regulate and pave with new granite-block pavement, with concrete foundation of a depth of six inches, that portion of said streets, avenues and highways along the line of said railroad between its tracks, the rails of its tracks, and two feet in width outside of its tracks, where stone pavement is now laid; and such pavement shall be toothed or racked from six to eighteen inches outside of the outer rail, in accordance with plans therefor to be prepared and submitted to and approved by the Commissioner of Public Works before being laid.

The stone blocks shall be of a durable, sound and uniform quality of granite, to be approved by the Commissioner of Public Works, each measuring not less than six nor more than twelve inches in length, and not less than three and one-half, nor more than four inches in width and eight inches in depth; excepting that one-half the number of such blocks as are set between the slot rail and the bearing rails shall be one half the maximum length above mentioned, and shall be laid alternately with full size blocks alongside the slot and bearing rails respectively. The blocks shall be of uniform size and in accordance with the plans therefor to be filed with the Department of Public Works, and shall be split and dressed at the quarry so as to form when laid close joints top and bottom, not over one-half inches wide, with fair and true surfaces on top, bottom and end, and shall be in all respects equal to the specimen blocks at the office of the Commissioner of Public Works.

12. The said companies shall furnish at their own cost and expense all the necessary materials, and the labor, and in a good, firm and substantial manner, and strictly in accordance with the specifications of the Department of Public Works, regulate and pave with asphalt pavement on concrete foundations that portion of said streets, avenues and highways along the line of the said railroad between its tracks, the rails of its tracks and two feet in width outside of its tracks, where asphalt pavement is now laid.

13. The said companies shall lay and relay crosswalks where now laid and where required by the Commissioner of Public Works to be laid for street crossings, and shall permanently maintain the said granite and asphalt pavements and crosswalks, as above required, in good condition to the satisfaction of the Commissioner of Public Works, his successor or successors, all the said work to be done in the manner in and under the conditions specified in the specifications of the Department of Public Works.

14. In laying and maintaining the pavement the said companies shall furnish and provide at their own cost and expense new material therefor, and shall at all times maintain the same in such repair that the pavement will not be depressed or raised more than one-quarter of an inch above or below the tracks where it joins the tracks; nor shall any stone in the pavement be raised or depressed more than one-quarter of an inch above the neighboring stone, and that after a lapse of forty-eight hours from any notice served on any of their agents or employees in this city the said Commissioner shall make such repairs as he finds necessary, and the said companies shall pay to the Department of Public Works all costs incurred for labor and material in making such repairs. And if there should be any rut, lump or sunken place in the adjacent pavement, the pavement shall be relaid over such places to whatever distance from the rail of said companies that it may be necessary, so as to avoid any abrupt slopes, ridges or uneven pavements.

15. The Commissioner of Public Works shall designate city surveyors, or civil engineers, who shall attend the giving of lines and grades, and electrical engineers, who shall supervise the electric-work for the construction of said railroad, whose compensation shall be paid by said companies, but will be determined and regulated by the Commissioner of Public Works, from whom alone their instructions will be received. All the work from the time the excavation is commenced until the time the pavement is laid shall also be under the supervision of inspectors, who shall be appointed by and receive their instructions from the Commissioner of Public Works, and whose salary shall be paid by said companies.

16. If any contractor, foreman, mechanic or laborer is insolent or negligent in carrying out any instructions given by any properly authorized representative of the Department of Public Works, he shall be forthwith discharged and not reemployed on the work without the consent of the Commissioner of Public Works.

A notice or order given to any contractor or foreman in charge of any work shall be considered a notice to said company.

17. Wherever, in consequence of the weather or any process of law or any other unexpected obstacle, the work of constructing said railroad shall be stopped for so long a time that the public travel shall be obstructed, the streets or avenues shall be refilled and repaved, as if the work contemplated in this permit was actually completed.

18. The said companies shall place sufficient and proper guards for the prevention of accidents and shall put up and keep at night suitable and sufficient lights, and they shall indemnify and save harmless the City of New York, its officers, agents and servants, against and from all dam-

ages, costs and expenses which they may suffer or to which they may be put by reason of injury to the person or property of another, resulting from carelessness or negligence on the part of said companies. The work shall be carried on only in such places and for such distances as the Commissioner of Public Works or his representative shall from time to time designate by separate permit; but the said companies shall prosecute the work with all necessary force of labor at such times and places as the said Commissioner may from time to time require.

19. The said companies shall give forty-eight hours' notice to the Water Purveyor of their desire to commence work at any point, and shall not disturb the pavements, commence work, or deposit material anywhere until the inspectors are on the ground to give the necessary instructions, and shall apply twenty-four hours in advance to the General Inspector for separate permits for each section to be opened.

The said companies shall give the Health Department twenty-four hours' notice of the time and place of making excavation under each sectional permit issued from the Department of Public Works; and the said companies shall provide and use disinfectants as and when required by the Health Department.

20. The companies shall immediately upon any fall of snow at any time hereafter remove and carry away the snow from its tracks and not throw it on either side of the tracks.

21. If the said companies, their contractors or agents, shall refuse or neglect to carry out any of the provisions or requirements of this permit, the Commissioner of Public Works shall have the right and power to do the same at the cost and expense of said companies, which they agree to pay upon demand, the Commissioner of Public Works reserves the right to revoke this permit in case of any violation of its terms and conditions.

It is made a condition of the issuance of this permit that its acceptance, under all its terms, conditions and provisions, is attested hereunder by the president and secretary of the Eighth Avenue Railroad Company and the Metropolitan Street Railway Company, respectively, and certificates of such acceptance and agreement thereto in all of its terms, conditions and provisions by resolution of the board of directors of said companies respectively shall be filed with the Commissioner of Public Works, and that thereupon this permit shall take effect.

(Signed) CHARLES H. T. COLLIS, Commissioner of Public Works.

NEW YORK SUPREME COURT—CITY AND COUNTY OF NEW YORK.

Eugene Clifford Potter against Charles H. T. Collis, as Commissioner of Public Works, et al. SRS.—Please take notice that the annexed affidavits of Alfred S. Heidelberg, Horace E. Garth and Robert Gibson, Jr., will be read in behalf of the plaintiff, in addition to those heretofore served upon you, on the return of the order to show cause and injunction order, granted herein by Mr. Justice Beekman on the 8th day of April, 1897, the hearing of which is set for April 19, 1897, pursuant to the terms of said order permitting the same.

Yours, etc.,
CHARLES HENRY BUTLER, Attorney for the Plaintiff, Office and Post-office address, No. 1402 Broadway, New York City.

To Francis M. Scott, Esq., attorney for Charles H. T. Collis, Commissioner of Public Works, and for the Corporation of the City of New York; John M. Scribner, Esq., attorney for the Eighth Avenue Railroad Company; Root & Clark, Esqs., attorneys for the Metropolitan Street Railway Company.

NEW YORK SUPREME COURT—CITY AND COUNTY OF NEW YORK.

Eugene Clifford Potter against Charles H. T. Collis, as Commissioner of Public Works, et al. City and County of New York, ss.:

Alfred S. Heidelberg, being duly sworn, deposes and says that he is a member of the firm of Heidelberg, Ickleheimer & Co., bankers, of No. 27 William street, in the City of New York.

2. That he has known Henry J. Braker for at least ten years and has had constant business dealings with him during the whole of that period; that he believes him to be a man of large means, and deponent believes that he would not enter into any contract which he would not be able to carry out; and deponent makes this statement from his personal knowledge of said Braker and of his business connections, with which he is familiar, and after reading the offer made by him on April 7, 1897, to the Mayor of the City of New York and others in regard to the purchase of the franchises of the Sixth and Eighth Avenue Railroad Companies. Mr. Braker is senior member of the firm of H. J. Braker & Bro., of the City of New York, and his firm is rated in mercantile circles as entitled to the highest credit.

ALFRED S. HEIDELBACH.

Sworn to before me this 19th day of April, 1897.

[SEAL] SOLOMON TRAUB, Notary Public (No. 40), City and County of New York.

NEW YORK SUPREME COURT—CITY AND COUNTY OF NEW YORK.

Eugene Clifford Potter against Charles H. T. Collis, as Commissioner of Public Works, et al. City and County of New York, ss.:

Horace E. Garth, being duly sworn, deposes and says:

1. I am the President of The Mechanics' National Bank of the City of New York.
2. I have known Henry J. Braker for at least fourteen years, and have had constant business dealings with him during the whole of that period. I know that he is a man of large means, and I consider he would be able to carry out any contract into which he enters, and I make this statement from my personal knowledge of said Braker and of his business connections, with which I am familiar, and after reading the offer made by him of April 7, 1897, to the Mayor of the City of New York and others in regard to the purchase of the franchises of the Sixth and Eighth Avenue Railroad Companies. Mr. Braker is senior member of the firm of H. J. Braker & Bro., of the City of New York, and his firm is rated as entitled to the highest credit by both the Dun and Bradstreet mercantile agencies.

H. E. GARTH.

Sworn to before me this 20th day of April, 1897.

ROBERT C. SHEPARD, Notary Public (205), N. Y. Co.

SUPREME COURT—CITY AND COUNTY OF NEW YORK.

Eugene Clifford Potter, plaintiff, against Charles H. T. Collis, as Commissioner of Public Works of the City of New York; and Mayor, Aldermen and Commonalty of the City of New York, the Eighth Avenue Railroad Company and the Metropolitan Street Railway Company, defendants. City and County of New York, ss.:

Robert Gibson, Jr., being duly sworn, deposes and says that he is managing attorney for the attorney for the plaintiff and makes this affidavit because he has personally acquired the information hereinafter set forth, and because the attorney for the plaintiff is now confined to his bed with acute inflammation of the middle ear.

That deponent has personally inspected the transcript and records kept at the Association of the Bar in the City of New York of the bills introduced in the Senate of the State of New York, and finds from a perusal thereof there was introduced in said Senate by Senator Ford on April 14, 1897, a bill, Introductory No. 1216, and entitled "An act in relation to street surface railroads in cities of twelve hundred and fifty thousand inhabitants or over;" that said bill was re-

[Foregoing affidavit incomplete; above is exact copy of original.]

City of Brooklyn, County of Kings, ss.:

Patrick J. Gleason, being duly sworn, says that he is Mayor of Long Island City, the plaintiff in the above-entitled action; that he has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge, except as to the matters therein stated to be alleged on information and belief and that as to those matters he believes it to be true.

PATRICK J. GLEASON.

Sworn to before me, this 11th day of May, 1897.

ROBERT GIBSON, Jr., Notary Public, N. Y. County. Certificate filed in Kings Co.

SUPREME COURT.

Trial desired in the County of Queens.

Long Island City, Plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, Defendants.

City of Brooklyn, County of Kings, ss.:

Patrick J. Gleason, being duly sworn, deposes and says:

I am the Mayor of Long Island City, which is the plaintiff in the above-entitled action, and I have commenced this action in order to protect the rights of Long Island City in and about the municipal property in which the said Long Island City is now interested, under and by value of the acts consolidating various municipalities into the City of New York under one local government.

I have read the complaint and I believe the statements therein contained are true and I make the same a part of this affidavit.

My information being derived from examinations of the public press and from statements made to me by Charles Henry Butler, attorney and of counsel for Henry J. Braker and Eugene Clifford Potter in a certain action now pending in the Supreme Court of the State of New York in and for the City and County of New York, effecting the matters referred to in the said complaint.

I believe unless an injunction is immediately granted that the property that belongs to the new municipality but which is still under the control of the Common Council of the City of New York, will suffer waste and injury and that the plaintiff who is interested therein will be irreparably injured.

PATRICK J. GLEASON.

Sworn to before me this 11th day of May, 1897.

ROBERT GIBSON, Jr., Notary Public, N. Y. Co. Certificate filed in Kings Co.

SUPREME COURT.

Trial desired in the County of Queens.

Long Island City, Plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, The Common Council of the City of New York as trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, Defendants.

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

Robert Shephard, being duly sworn, deposes and says:

I am a clerk in the office of Charles Henry Butler, No. 1402 Broadway, New York City.

I have read the affidavit of Charles Henry Butler in regard to the delivery of the papers to the Mayor and Comptroller of the City of New York. I know the same is true from a personal delivery of said papers.

I called at the office of the Clerk of the Common Council of the City of New York on this the 11th day of May, 1897, and ascertained that the resolutions had been introduced in the Common Council in regard to the motive power of the Sixth and Eighth Avenue railroad companies on Tuesday, May 4, 1897, and from inquiry I ascertained that the said resolutions had been laid over to be acted on this 11th day of May, 1897, and that the meeting would take place at two o'clock.

I obtained a copy of the said resolution, and the same is hereto annexed, and is a part of this affidavit.

R. C. SHEPARD.

Sworn to before me this 11th day of May, 1897.

ROBERT GIBSON, Jr., Notary Public, N. Y. Co. Certificate filed in Kings Co.

SUPREME COURT.

Trial desired in the County of Queens.

Long Island City, Plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company and the Mayor, Aldermen and Commonalty of the City of New York, Defendants.

County of Kings:

Thomas P. Burt, being duly sworn, deposes and says:

I am Counsel for the Corporation of Long Island City. The above-entitled action is brought by me in my official capacity and under the pursuance of the directions of the Mayor of Long Island City, in order to protect the rights of Long Island City in and to the property of the municipality of which it now forms a part, and a summons has been issued in this action on this day. That I believe that unless a temporary injunction is granted, the resolution of the Common Council referred to will be passed and the rights of the plaintiff will be irrevocably injured.

And I believe that an order to show cause, returnable within eight days, is necessary, with an injunction meanwhile, in order that the defendants may be restrained and enjoined from passing the resolutions and issuing the permits referred to in the complaint and acting thereunder. That the summons and complaint in this action have not yet been served, but will be served either before or simultaneously with this affidavit and the order to show cause to be obtained thereon. The above-entitled action, therefore, is not an issue, and there have been no other proceedings herein.

The time appointed for holding the next Special Term, wherein the above-entitled action will be triable, is the first Monday of June, 1897, provided issue shall be enjoined by the defendants in time to permit notice of trial for such term; otherwise the next Special Term will not be until the first Monday of October, 1897.

That no other application has been made for this or any other order of this nature to any Judge of any Court of Record.

THOMAS R. BURKE.

Sworn to before me, this 11th day of May, 1897.

ROBERT GIBSON, Jr., Notary Public, N. Y. Co. Certificate filed in Kings Co.

NEW YORK SUPREME COURT—COUNTY OF QUEENS.

Long Island City against John Jeroloman and others. Affidavit of Charles Henry Butler for plaintiff.

County of Kings, ss.:

Charles Henry Butler, being duly sworn, deposes and says that he is an attorney and counsellor-at-law, having offices at Nos. 1402 and 111 Broadway, in the City of New York; that he is attorney for Henry J. Braker and Eugene Clifford Potter, hereafter mentioned, and as such had entire charge of all matters relating to the offer made by said Braker to the City of New York for street railway franchises through Sixth and Eighth avenues and other streets in the City of New York, and of the suit brought by Eugene Clifford Potter as a taxpayer against the Mayor, Aldermen and Commonalty of the City of New York and others to restrain and enjoin the Commissioner of Public Works of the City of New York from granting any permit permitting a change of motive power of the Eighth Avenue Railroad, and that all the facts hereafter stated are within the personal knowledge of deponent, except where so expressly stated.

That on April 7, 1897, deponent prepared the offer of H. J. Braker to the Mayor of the City of New York and other municipal officers, which is annexed to the complaint as Exhibit "B," and said Braker signed the same in triplicate in deponent's presence, and authorized and directed him to deliver the same and take all necessary and proper proceedings to bring the matter before the municipal authorities of the City of New York.

That on the same day deponent obtained the written agreement of the Fidelity and Deposit Company of Maryland, a regularly authorized surety corporation, to the effect that it would give the bonds referred to in said Braker's offer, to wit, either or both of two bonds of \$50,000 each, copy of which agreement is annexed to complaint as Exhibit "C," and deponent also prepared on the same day the statement signed by him as attorney for H. J. Braker annexed to the complaint as Exhibit "D." That deponent caused many printed copies to be made of said offer, agreement and letter, and caused a copy of all of them to be mailed on the evening of April 7, 1897, to each and every member of the Common Council of the City of New York and one of the originals of said offer, together with copies of the other papers, to be delivered personally to Ashbel P. Fitch on April 7, 1897, and one of the original offers, together with the original agreement of the Fidelity and Deposit Company and original letter of deponent, to be personally delivered to Hon. William L. Strong April 8, 1897. That deponent's knowledge of these facts is derived from his personal supervision of the delivery and mailing of such offers and letter, the records of his office made at the time, and sworn statements to the same effect of his clerks, who actually delivered and mailed the said papers.

That deponent has known said Henry J. Braker for several years last past, and has had many important financial transactions with him, and knows that he is a man of large means, rated in mercantile circles as entitled to highest credit, and that he is a member of the firm of H. J. Baker and Bro., 95 William street, New York City, which carries on a large business in importing and dealing in drugs and other merchandise. That deponent caused special inquiries, however, as to said Braker's financial capacity as to carry out his said offer contained in Exhibit A, and obtained the information contained in the affidavits of Alfred S. Heidelberg and Horace E. Garth (copies of which are annexed to Exhibit D of the complaint), the original whereof are on file in the Supreme Court in New York, and deponent knows that said copies annexed to the complaint are true copies of the original affidavits. That deponent knows both said Heidelberg and Garth and the firm of Heidelberg, Ickleheimer & Co. is a large banking house, doing business at 27 William street, New York City, and deponent considers that the said Heidelberg and Garth are fully competent to judge of said Braker's responsibility. That thereafter deponent addressed a letter in regard to the offer of said Braker to the Mayor of the City of New York, a copy whereof is annexed to the complaint marked "D," and caused the same to be mailed to the said Mayor as appears by the records of deponent's office made at the time and subsequently, and on April 26, 1897, deponent addressed another letter to the said Mayor, Comptroller, and the Recorder of the City of New York, a copy whereof is annexed to the complaint marked "Exhibit D," which deponent caused to be delivered to such parties as appears by the records of deponent's office made at the time, and by sworn statements in deponent's possession of his clerk making the same. That deponent has never received from the Mayor or any other official of the City of New York any answer or communication, verbal or otherwise, to or in regard to said offer or letters or any of them, and neither has said Braker, to the best of deponent's knowledge and belief, based upon statements to that effect made to deponent by said Braker.

That on or about April 8, 1897, deponent, as attorney, brought an action in the Supreme Court of the State of New York, in and for the City and County of New York, for Eugene Clifford Potter, as a tax-payer, against Charles H. T. Collis, as Commissioner of Public Works of the City of New York; the Mayor, Aldermen and Commonalty of the City of New York; the Eighth Avenue Railroad Company and the Metropolitan Street Railway Company, to enjoin and restrain the illegal action of the said Commissioner in issuing a permit to the said two defendant railroad companies to change the motive-power of the Eighth Avenue Railroad, and such action is now pending in the said Supreme Court. That in the course and conduct of said case deponent has ascertained

that the said defendant railroad companies intend to change the motive-power of the said roads, and that they have obtained orders of the Railroad Commissioners of this State to that effect, but deponent, from his examination of the law, believes that the railroad companies are bound by their charters to use only such power as has or shall be prescribed by the City of New York.

That the right to change the said motive power is a valuable franchise right within the power of disposal of the proper officers of the municipality, and as to charters above-named is to-day worth over \$4,500,000, which sum can be realized for the same.

That in the course and conduct of said action of Potter vs. Collis, deponent has caused the records to be examined and verily believes that the exhibit annexed to the complaint marked "A" and "A 2" are true and correct copies of the charters under which the defendant railroad companies are now operating their respective railroads. That a temporary injunction was obtained in the said action of Potter vs. Collis restraining the issuance of said permit, and a motion has been argued to continue the same on papers which are now in the hands of the Hon. Miles Beach, one of the Justices of the Supreme Court in and for the City and County of New York, and deponent begs leave to refer to said papers and is informed that the plaintiff herein intends to use the same on the argument of any motion made for an injunction in this action, and deponent avers that he believes the statements contained in the moving papers of the plaintiff Potter are true and correctly set forth, and avers that the said papers were prepared under his personal supervision.

That, on the argument of said motion to continue the said temporary injunction, the counsel to the Corporation of the City of New York appeared for the defendants Commissioner of Public Works and the Mayor, Aldermen and Commonalty of New York, and stated, through his representative, Mr. Turner, as follows: "I desire to say on behalf of the city and the Commissioner of Public Works that the facts as presented in the opposing papers which Mr. Root will hand up in these suits are, as we understand it, a correct statement of the facts in this matter, and the city and the Commissioner of Public Works have no other affidavits which they desire to present."

That deponent was present and heard the said statement; that the Mr. Root referred to is the attorney for the Metropolitan Street Railway Company, one of the corporations which claims (but, as deponent believes, unlawfully) to have the right to change the motive power of the said railroads.

Sworn to before me this 11th day of May, 1897.

ROBERT GIBSON, Jr., Notary Public, N. Y. Co. Cert. filed Kgs. Co.

SUPREME COURT—QUEENS COUNTY.

Long Island City, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas H. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, constituting the Common Council of the City of New York, the Common Council of the City of New York as trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants.

The above named plaintiff having applied to one of the Justices of this Court for an injunction in the above entitled action, restraining and enjoining the defendants, and each of them, from doing any act, issuing any permit or passing any resolutions in any way recognizing or permitting any change of motive power of either the Sixth Avenue Railroad Company or the Eighth Avenue Railroad Company, or from in any way acting under any such permit or resolution, as therein mentioned.

Now, therefore, pursuant to the statute in such case, the Fidelity and Deposit Company of Maryland, having an office and principal place of business for the State of New York, at No. 35 Wall street in the City of New York, undertakes in the sum of one thousand dollars, that the plaintiff will pay to the defendants so enjoined, such damages, not exceeding the before mentioned sum, as they may sustain by reason of the injunction, if the Court finally decides that the plaintiff is not entitled thereto, such damages to be ascertained and determined by the Court, or by a referee appointed by the Court, or otherwise, as the Court shall direct.

Dated New York, May 11, 1897.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, HENRY B. PLATT, Managing Director.

Attest: JOHN W. WOOTEN, Attorney.

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

On this eleventh day of May, in the year 1897, before me personally appeared Henry B. Platt, Managing Director of the Fidelity and Deposit Company of Maryland, with whom I am personally acquainted, who, being by me duly sworn, said: That he resides in the City of New York; that he is the Managing Director of the Fidelity and Deposit Company of Maryland; that he knows the corporate seal of said company; that the seal affixed to the within instrument is such corporate seal; that it was affixed thereto by order of the Board of Directors of said company, and that he signed said instrument as Managing Director of said company by like authority; and that the liabilities of said company do not exceed its assets, as ascertained in the manner provided in section 3 of chapter 720 of the Session Laws of the State of New York for the year 1893; and that, to the best of his knowledge and belief, the financial condition of said company is as favorable now as it was when its last annual statement was made. And the said Henry B. Platt further said that he is acquainted with John W. Wooten and knows him to be the attorney of the said company; that the signature of the said John W. Wooten, subscribed to the said instrument, is in the genuine handwriting of the said John W. Wooten, and was thereto subscribed by the like order of the Board of Directors, and in the presence of him, the said Henry B. Platt.

J. WHITMORE BARRY, Notary Public, New York County.

At a special meeting of the Board of Directors of the Fidelity and Deposit Company of Maryland, held at the office of the company in the City of Baltimore, State of Maryland, on the seventh day of July, A. D. 1896, at which was present a quorum of said directors, duly authorized to act in the premises; on motion, it was unanimously

"Resolved, That in pursuance of section eight hundred and eleven of the Code of Civil Procedure of the State of New York, Henry B. Platt, Managing Director, or John W. Wooten, Attorney, or Frank H. Platt, Theodore F. Wood, Edward T. Platt and Theodore F. Swayze, Attorneys-in-Fact of this company in the State of New York, be, and each of them is, hereby authorized and empowered to sign execute and deliver any and all bonds or undertakings for or on behalf of this company, and to attach thereto the seal of the corporation, the same to be attested by the said John W. Wooten, attorney of the company, or by either one of the other persons above named, as occasion may require."

City and County of New York, ss.:

I, John W. Wooten, Attorney of the Fidelity and Deposit Company of Maryland in the State of New York, have compared the foregoing resolution with the original thereof, as recorded in the Minute Book of said company, and do hereby certify that the same is a true and correct transcript therefrom and of the whole of the said original resolution.

Given under my hand and the seal of the company, at the City of New York, this 11th day of May, 1897.

JOHN W. WOOTEN, Attorney.

Statement of Condition of Fidelity and Deposit Company of Maryland at the Close of Business, April 30, 1897.

RESOURCES.

Par Value.		Market Value.
\$.....	Real estate (Fidelity Building).....	\$596,726 60
501,800.	Baltimore City Stock, 3½ per cent., 1928-1930-1940-1945.....	529,116 00
48,000.	Baltimore City Stock, 6 per cent., 1900.....	51,120 00
100,000.	State of Maryland Insane Asylum Bonds, 3½ per cent. Loan.....	103,000 00
125,000.	State of Georgia, 4½ per cent. Bonds, 1911-1912-1916.....	140,468 75
30,000.	State of Tennessee, 3 per cent. Bonds.....	26,400 00
50,000.	City of Buffalo, N. Y., 3½ per cent. Bonds.....	51,750 00
25,000.	City of Westminster, Md., 4½ per cent. Bonds.....	28,000 00
27,500.	City of Frederick, Md., 4 per cent. Bonds.....	28,180 00
25,000.	City of Petersburg, Va., 5 per cent. Bonds.....	26,750 00
25,000.	City of Richmond, Va., 4 per cent. Bonds.....	25,000 00
30,000.	Lucas County, Ohio, Court-house, 4 per cent. Bonds.....	30,000 00
100,000.	Baltimore Traction Co. Bonds (N. B. Division), 1st, 5's.....	110,080 00
48,000.	City and Suburban Ry. Co. of Baltimore Bonds, 1st, 5's.....	52,800 00
35,000.	Lake Roland Elev. 1st 5 per cent. Bonds, guaranteed by C. & S. Ry. Co.	37,756 25
41,000.	Virginia Midland R. R. Co., 6 per cent. Bonds.....	47,240 00
50,000.	Wilmington & Weldon R. R. Co., 5 per cent. Bonds.....	59,125 00
25,000.	Charlotte, Columbia and Augusta R. R. Co. Bonds.....	26,500 00
10,000.	Petersburg R. R. Co., Class "B" 6 per cent. Bonds.....	11,300 00
11,000.	Georgia Pacific R. R. Co., 6 per cent. Bonds.....	12,100 00
30,000.	Raleigh & Gaston R. R. Co., 5 per cent. Bonds.....	30,000 00
50,000.	Consolidated Gas Co. of Baltimore, 5 per cent. Bonds.....	52,750 00
14,000.	Chesapeake Gas Co. of Baltimore, 6 per cent. Bonds.....	14,700 00
	Agents' debit balances, less commissions.....	104,800 35
	Premiums in course of collection (Home Office).....	6,638 99
	Cash in office and banks.....	101,997 18
		\$2,301,299 12

LIABILITIES.

Capital stock (paid in).....	\$1,000,000 00
Surplus.....	750,000 00

Premium reserve requirement.....	\$366,627 55
Claims adjusted (check out).....	679 38
Claims in process of adjustment.....	2,443 34
Claims reported but proof not filed, etc.....	27,940 82
Undivided profits.....	153,668 03
	\$2,301,299 12

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

John W. Wooten, being duly sworn, says that he is the attorney of the Fidelity and Deposit Company of Maryland; that the foregoing is a true and correct statement of the financial condition of said company, as of April 30, 1897, to the best of his knowledge and belief, and that the financial condition of said company is as favorable now as it was when such statement was made.

JOHN W. WOOTEN.

Subscribed and sworn to before me this 11th day of May, 1897.

J. WHITMORE BARRY, Notary Public, New York County.

Which was referred to the Committee on Law Department.

The President laid before the Board the following summonses and complaints in the case of Alexander Hadden vs. The Board of Aldermen:

SUPREME COURT.

Trial desired in the County of New York.

Alexander Hadden, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas H. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, constituting the Common Council of the City of New York, The Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, The Eighth Avenue Railroad Company, The Metropolitan Street Railway Company, and The Mayor, Aldermen and Commonalty of the City of New York, defendants—Summons—Eighth Avenue Railroad.

To the above-named defendants, and each of them:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer on the plaintiff's attorney within twenty days after the service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated May 10, 1897.

GEORGE HILL, Plaintiff's Attorney, post-office address and office, No. 206 Broadway, New York City.

SUPREME COURT.

Trial Desired in the County of New York.

Alexander Hadden, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas H. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants—Complaint.

Plaintiff complains of the defendants, and alleges as follows:

I.—The plaintiff is, and at all times hereinafter mentioned, was a citizen and resident of the City of New York, and his assessment for taxes in said city amounts to one thousand dollars (\$1,000), and he is liable to pay taxes on such assessment in said city, and he has been assessed and paid taxes upon an assessment of the above-named amount within one year previous to the commencement of this action, and he brings this action under the provisions contained in and pursuant to the authority conferred by chapter 301 of the Laws of 1892, and the provisions of section 1925 of the Code of Civil Procedure, as amended by chapter 524 of the Laws of 1892, and pursuant to the provisions of section 101 of chapter 410 of the Laws of 1882, known as the Consolidation Act of the City of New York.

Plaintiff further alleges, upon information and belief, as follows:

II.—That the defendant, the Eighth Avenue Railroad Company, was incorporated under the General Railroad Law, being chapter 140 of the Laws of 1850, and filed its articles of association in the office of the Secretary of State on the 10th day of January, 1855, and claims to be a domestic corporation.

III.—That the defendant, the Metropolitan Street Railway Company, is a domestic corporation formed by the consolidation of several domestic railroad corporations, including the former Houston, West Street and Pavia Ferry Railroad Company, and is the lessee of the railroad of the Eighth Avenue Railroad Company.

IV.—That the defendants, the Mayor, Aldermen and Commonalty of the City of New York, were and are a municipal corporation, charged with the duties imposed, and exercising the powers conferred by the charter of said city, and the various statutes of the State in addition thereto and amendatory thereof.

V.—That the Common Council of the City of the New York and the several members thereof, the individual defendants herein, are trustees of the property, funds and effects of the City of New York; and among such property, funds and effects of which the said Common Council and the said individual defendants members thereof are trustees, and which is committed to their management and control is the right, privilege and option reserved in the resolution and agreement annexed to the complaint herein authorizing the Corporation of the City of New York to require and receive from the defendant the Eighth Avenue Railroad Company of the City of New York, a surrender, conveyance and transfer of its road; and the other rights, privileges and interests conferred upon and reserved to the said Corporation of the City of New York, under and pursuant to the terms of said resolution and contract hereto annexed and made a part of this complaint.

VI.—That the individual defendants are and each of them is an Alderman of the City of New York, and a member of the Common Council thereof.

VII.—That on or about the fourth day of June, 1851, the Common Council of the City of New York adopted a resolution, which was approved by the Mayor, granting to John Pettigrew and other persons therein named the authority and consent of the Common Council to lay and construct a railroad upon the streets and avenues mentioned in the resolution and agreement, a copy of which agreement, which contains a copy of said resolution, is hereto annexed and made a part of this complaint.

VIII.—That subsequently and on or about the sixth day of September, 1851, the grantees in said resolution and agreement named, made, executed and delivered to the Mayor, Aldermen and Commonalty of the City of New York, the said agreement.

IX.—That subsequent to the passage of said resolution and the execution and delivery of said agreement, the grantees Pettigrew and others formed a corporation, under and pursuant to the provisions of the General Railroad Act of 1850, under the name of the Eighth Avenue Railroad Company, and filed its articles of association in the office of the Secretary of State on the 10th day of January, 1855. The route designated in said articles of association is as follows:

"That the said road is to be constructed, maintained and operated from Vesey street, near St. Paul's Church, in the City and County of New York, to the Harlem river in the same city and county, at the place where the Eighth avenue reaches the said river, and is to be maintained and operated to and from those places, together with a branch running in Canal street in the said city from the corner of West Broadway and Canal street to the westerly line of Broadway at its intersection with the said Canal street. The said road being already in part constructed as aforesaid, that is to say, from Barclay street in the said city through Church street to Chambers street thence through Chambers street to West Broadway, and from Barclay street at the corner of Church street through Barclay street to College place and through College place to the corner of Chambers street and West Broadway. Thence through West Broadway to Canal street and thence through Canal street to Hudson street (with a branch as aforesaid running through Canal street to Broadway) and continuing from the corner of Hudson street and Canal street northerly through Hudson street to the Eighth avenue and then through the Eighth avenue to Fifty-fourth street, and the same is to be continued, extended and maintained so as to run to and from the places first above designated. The railroad of the Sixth Avenue Railroad Company, joining and uniting therewith at the corner of Canal and Varick streets and running thereon and using the same from that point southerly as the same is now constructed as aforesaid."

X.—That upon the incorporation of the said Eighth Avenue Railroad Company it became the owner by purchase and assignments of the rights granted by the said resolution of 1851 and the said agreement, which said resolution and said agreement were ratified and confirmed by chapter 140 of the Laws of 1854.

That under the authority of said resolution and agreement and said confirmation thereof by the Act of 1854 and not otherwise, the said grantees in said resolution named and the said Eighth Avenue Railroad Company constructed and now maintain and operate a railroad upon the streets, avenues and highways in said resolution and agreement mentioned.

XI.—That the said resolution of 1851 and the agreement and the said provisions of the General Railroad Act of 1850, and the acts of the Legislature in addition thereto and amendatory thereof, and chapter 140 of the Laws of 1854, constitute the charter of the said Eighth Avenue Railroad Company, and as such the provisions thereof define and limit the rights and powers, and measure the duties and obligations, of said Eighth Avenue Railroad Company, and the said Metropolitan Street Railway Company, as lessee thereof, in respect of the operation and maintenance of the railroad of said Eighth Avenue Railroad Company.

XII.—That the right, privilege and option reserved in and by said resolution and agreement to the Corporation of the City of New York being the defendants, the Mayor, Aldermen and Commonalty of the City of New York to require, demand and receive a surrender, transfer and conveyance of the railroad of the said Eighth Avenue Railroad is of great value, to wit, several millions of dollars and that responsible parties have heretofore offered to the Mayor, Aldermen and Commonalty of the City of New York, the Comptroller of the City and the Commissioners of the Sinking Fund thereof the sum of one million dollars in excess of the cost of said railroad to said city for the same, if the option reserved in said resolution and agreements to said city to purchase and acquire said railroad should be exercised by it.

XIII.—That the cost of said road of the Eighth Avenue Railroad Company, with ten per cent. advance thereon, does not exceed the sum of two million dollars, and that should the Corporation of the City of New York, being the defendants the Mayor, Aldermen and Commonalty of the City of New York, exercise the right, privilege and option reserved to it in and by the terms of said resolution and agreement, and acquire said railroad it could sell and dispose of the same at a profit of more than one million dollars, or could lease the same for a term of years so as to realize a net annual rental of at least the sum of one hundred thousand dollars.

That the railroad of the said Eighth Avenue Railroad Company is now operated by the defendant the Metropolitan Street Railway Company under a lease in and by which there is reserved a net annual rental of about \$215,000.

XIV.—That the defendant the Common Council of the City of New York and the individual defendants members of said Common Council have omitted and neglected and still omit and neglect to take any act or proceeding towards the acquisition of the railroad of the defendant the Eighth Avenue Railroad Company, notwithstanding the offer aforesaid and notwithstanding the fact that such acquisition would not fail to realize great profit to the defendant the Mayor, Aldermen and Commonalty of the City of New York and the corporation of said city as aforesaid, and that the omission of said defendant to acquire said property will and does constitute waste and injury to the property, estate, funds and effects of the City of New York.

That neither the grantee in said resolution and agreement named, nor the Eighth Avenue Railroad Company, have ever performed the conditions, stipulations, agreements and covenants on their part to be kept and performed, but, on the contrary, they have failed to perform the same in many particulars, especially in that they have failed and omitted to file with the Comptroller a statement, under oath, of the cost of each mile of railroad completed as required in and by said resolution and agreement.

XV.—That the defendant the Eighth Avenue Railroad Company and the Metropolitan Street Railway Company, or one of them, subsequent to the year 1895, constructed and now operate a railroad on Eighth avenue, from One Hundred and Forty-fifth street to the Harlem river, in the City of New York, under, as claimed by them, the authority of the said resolution and agreement hereto annexed. That said railroad was so constructed and is operated without the said defendants, or either of them, having obtained the consent of the owners of one-half in value of the property bounded on that portion of Eighth avenue upon which said railroad is constructed and operated; and without having obtained in lieu thereof the determination of commissioners that said railroad ought to be constructed and operated, as required by section 94 of the Railroad Law, and without a sale of the right, franchise and privilege of using said portion of Eighth avenue as required by section 93 of the Railroad Law.

Wherefore plaintiff prays that it be adjudged and decreed as follows:

I.—That the defendant, the Common Council and the several members thereof, are trustees of the property, funds and effects of said city, so far as such property, funds and effects are or may be committed to their management or control.

II.—That among the property, funds and effects of the City of New York, committed to the management and control of the defendant, the Common Council of the City of New York and the several members thereof as trustees, is the right or option to require and obtain a surrender, transfer or conveyance of the road of the defendant the Eighth Avenue Railroad under and pursuant to the terms and conditions of the resolution and agreement annexed to the complaint.

III.—That the defendant, the Eighth Avenue Railroad Company, forthwith file with the Comptroller of the City of New York the statement mentioned and referred to in said agreement, of the cost of each mile of road completed.

IV.—That the defendants, the Common Council and the members thereof and each of them, and the Mayor, Aldermen and Commonalty of the City of New York, be adjudged forthwith to exercise the right and option, and privilege reserved in and by said resolution and agreement to require, compel and receive a surrender, transfer and conveyance of the railroad of the defendant, the Eighth Avenue Railroad Company, and to that end take all and every step, action and proceeding necessary to the acquisition of the same.

V.—That the defendants, the Common Council and the members thereof and each of them, be perpetually enjoined and restrained from in any manner surrendering or releasing the right and option reserved in and by said agreement to the Corporation of the City of New York, to require, compel and receive a surrender and transfer of the railroad of the defendant, the Eighth Avenue Railroad Company, except upon a good, sufficient and valuable consideration, and that a like temporary injunction, during the pendency of this action, may be granted by order enjoining and restraining said defendants and each of them from in any manner surrendering or releasing the right and option reserved in and by said agreement to the Corporation of the City of New York, to require, compel and receive a surrender and transfer of the railroad of the defendant, the Eighth Avenue Railroad Company, except upon a good, sufficient and valuable consideration.

VI.—That the plaintiff may have such other, further and different relief as may be just and proper in the premises, with the costs of this action.

GEORGE HILL, Attorney for Plaintiff, Office and Post-office Address, No. 206 Broadway, New York City, N. Y.

Alexander Hadden, being duly sworn, deposes and says that he is the plaintiff above named; that he has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes the same to be true. ALEXANDER HADDEN.

Sworn to before me this 10th day of May, 1897.

WILLIAM H. BARTLETT, Notary Public, N. Y. Co., No. 28.

(Made part of foregoing complaint.)

EIGHTH AVENUE RAILROAD.

Agreement, made the sixth day of September, in the year one thousand eight hundred and fifty-one, between the Mayor, Aldermen and Commonalty of the City of New York, parties of the first part, and the persons named in the resolutions hereinafter set forth who shall duly sign and execute this agreement, and their successors, associates and assigns, duly becoming parties thereto, as hereinafter provided, of the second part.

Whereas, The said parties of the first part, in Common Council convened, did, on the fourth day of June, one thousand eight hundred and fifty-one, duly pass and adopt the following resolutions, which were afterward and on the thirtieth day of July, in said year, duly signed and approved by the Mayor of said city, and became operative and binding in the words and figures following:

Resolved, That the persons to whom permission is granted by the following resolutions, and those who may hereafter become associated with them, have the authority and consent of the Common Council to lay a double track for a railroad in the following streets, viz.: From a point at the intersection of Chambers street and West Broadway; thence along West Broadway to Canal street; thence along and down Canal street to Hudson street; thence along Hudson street and Eighth avenue to a point at or near Fifty-first street; and that said railroad be continued through the Eighth avenue to Harlem river whenever required by the Common Council, and as soon and as fast as said avenue is graded, upon the following stipulations and conditions, viz.:

Such track or tracks to be laid under the direction of the Street Commissioner and on such grades as are now established or may hereafter be established by the Common Council; the said parties to become bound in a sufficient penalty to keep in good repair the space between the track and the space outside the same on either side of at least eight feet in width of each street in which the rails are laid; and also that no motive power excepting horses be used below Fifty-first street, and upon the further condition that said parties shall place new cars on said railroad, with all the modern improvements, for the convenience and comfort of passengers; and that they run cars thereon each and every day, both ways, as often as the public convenience may require, under such direction as the Street Commissioner and the Common Council may, from time to time, prescribe.

3. And provided, also, that the said parties shall in all respects comply with the direction of the Street Commissioner and of the Common Council in the building of said railroad and in the running of the cars thereon, and in any other matters connected with the regulation of said railroad.

4. And provided, also, that the said parties shall, before this permission takes effect, enter into a good and sufficient agreement with the Mayor, Aldermen and Commonalty of the City of New York, to be drawn and approved by the Counsel to the Corporation, binding themselves to abide by and perform the stipulations and provisions herein contained, and also all such other resolutions or ordinances as may be passed by the Common Council relating to the said road.

5. And further, that they run a car thereon each and every day, both ways, as often as every fifteen minutes from five to six o'clock A. M., and every four minutes from six o'clock A. M. to eight o'clock P. M.; every fifteen minutes from eight o'clock P. M. to twelve o'clock P. M., and every thirty minutes from twelve o'clock P. M. to five o'clock A. M., and as much oftener as public convenience may require, under such directions as the Common Council may from time to time prescribe.

6. Also that the rate of passage on said railroad shall not exceed a greater sum than five cents for the entire length of said road; and also that the Common Council shall have the power to cause the same, or any part thereof, to be taken up at any time they may see fit; and also, that

the said parties, or either of them, shall not assign their interests in the said road without first obtaining the consent of the Common Council thereto; also, that such track or tracks shall be laid upon a foundation of concrete, with a grooved rail or such other rail as may be approved by the Street Commissioner, even with the surface of the streets through which they may pass; and shall be commenced within three months and completed to Fifty-first street within one year, and from Fifty-first street to the Harlem river within three years from the passage of this resolution; also, that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Fifty-first street; that the said parties are to keep an account of the receipts of each road monthly, and report the same to the Comptroller monthly, under oath; that the said parties shall connect their road with such other road as the Common Council may order to be connected therewith; that they shall file with the Comptroller a statement, under oath, of the cost of each mile of road completed, and agree to surrender, convey and transfer the said road to the Corporation of the City of New York, whenever required so to do, on payment by the corporation of the cost of said road as appears by said statements, with ten per cent. advance thereon; that said parties, on being required at any time by the corporation, and to such extent as the Common Council shall determine, shall take up, at their own expense, said rails, or such part thereof as shall be required, and in failure so to do in ten days after such requirements the same may be done at their expense by the Street Commissioner.

Resolved, That each of said passenger cars to be used on said road shall be annually licensed by the Mayor; and there shall be paid, annually, for each license such sum as the Common Council shall hereafter determine.

Resolved, That the permission granted to lay or build a railroad track in the following streets, viz.: From a point at the intersection of West Broadway and Chambers street; thence through West Broadway to Canal street, down Canal street to Hudson street, along Hudson street and Eighth avenue to Harlem river, be granted and given to John Pettigrew, Edmund R. Sherman, Solomon Kipp, Abraham Brown, Washington Smith, Joseph N. Barnes, John O'Keefe, John J. Duryea, Jesse A. Marshall and Timothy Townsend; and

Whereas, Said parties of the first part, on the said fourth day of June, one thousand eight hundred and fifty-one, in Common Council convened, did duly pass and adopt certain other resolutions, which were likewise duly signed and approved by the said Mayor, on the said thirtieth day of July, one thousand eight hundred and fifty-one, and became operative and binding, providing for the laying or building of another railroad, designated as the Sixth Avenue Railroad, provided for in said resolutions hereinafter set forth, designated as the Eighth Avenue Railroad; and, further, providing and directing that such parts of the Eighth Avenue Railroad as may be used by the Sixth Avenue Road, from the connection in Canal street and West Broadway to Chambers street, should be built at the joint expense of said Sixth and Eighth Avenue Roads; and

Whereas, It is deemed necessary by the said parties of the first part, in order to preserve and duly effectuate the grants, objects and stipulations and intentions of the said resolutions, and for the purpose of more specifically determining the interest of the said parties in the rights and privileges granted by said resolutions, that provision should be made for an organization or association between the said parties of the second part, their successors, associates, and assigns, duly admitted, according to this agreement, defining the mode in which the necessary capital for building the said railroad shall be contributed, and the manner in which the construction and management of the said railroad shall be conducted and controlled. Now, it is hereby mutually declared that the separate and individual interest of any or either of the said parties of the second part, their successors, associates and assigns, in the said grant; and all licenses, rights, privileges and powers, conferred or provided for in the said resolutions shall be conditioned and dependent upon the strict observance, performance and fulfillment by such person of the terms of said resolutions and of this agreement; and that in case of failure to perform the same, and every part thereof, said grant shall be inoperative as to such person so failing, and his interest therein shall cease and determine; said grant remaining operative in every respect as to all other of said parties, their successors, associates and assigns. And it is hereby covenanted, agreed and declared by and between the parties aforesaid, as follows, viz.:

First.—The said parties of the second part, for themselves and their successors, associates, and assigns, do hereby covenant and agree with the said parties of the first part, and with each other, that they will well and truly observe, perform, fulfill and keep the said resolutions hereinbefore particularly set forth, and all and every the provisions, stipulations, restrictions and conditions therein contained and thereby imposed, according to the true intent and meaning thereof; it being understood that the rate of passage on said road shall not exceed five cents for any distance; and, also, that the said road shall be completed at the times and in the manner stated in said resolutions.

Second.—The said parties of the second part, to the end that the provisions and intentions of the said resolutions may be fully carried into effect, the interests of the respective parties definitely ascertained, and the manner in which the construction and management of said road shall be conducted and controlled effectually defined, do further covenant and agree with the said parties of the first part, and with each other, to associate and organize themselves together in the manner and upon the terms and conditions following, viz.:

Within ten days after this agreement is duly executed the said parties of the second part, unless they, or a majority of them, shall have previously organized themselves to the same effect, as herein provided, shall and will organize themselves into an association or company, to be called the Eighth Avenue Railroad Company, for the purpose of constructing, operating and managing said railroad; the first meeting of the said parties to be called by the Clerk of the Common Council, who shall, within three days after the due execution of this agreement, give, or cause to be given, a notice in writing, delivered to the persons composing the said parties of the second part, personally, or left at their residence or places of business, specifying the time and place when and where such meeting shall be held.

The said parties of the second part or as many of them as shall meet in pursuance of said notice, shall thereupon proceed, as before provided, to organize themselves into the said company, and shall have power and authority, by the votes of a majority of the parties so assembled:

1. To estimate and declare the amount of capital requisite to construct the said railroad, provide cars, motive power, stations, buildings, fixtures, and for all other expenses requisite to put the said railroad into thorough practical operation.

2. To prescribe the mode in which said capital and all other sums that may thereafter be required for the business of said company shall be subscribed for, and the time or times when the same shall be paid in and the manner in which the shares and interests of the parties refusing or neglecting to subscribe or to pay may be forfeited.

3. To adopt suitable resolutions, by-laws, rules and regulations for the organization of said company, the subscription and payment of its capital and all other sums that may thereafter be required for its construction, operation and future business, the execution of contracts, the liability of members, the terms, compensation, accountability, election, removal and duties of its officers; the disbursement of moneys, the transfer or assignment of shares of its members, and the entire management, direction and control of its affairs, business, property and officers. Such by-laws may be altered from time to time in the manner prescribed therein.

Third.—The said parties of the second part shall be entitled to subscribe equally for the amount proposed as the original capital stock of such company, and if any of them neglect to subscribe, or shall subscribe less than his proportion, the others may subscribe equally for the remainder, so as to make up a subscription for the whole amount. If, for any reason, it shall be requisite to make other subscriptions, the persons who shall then be members of said company shall be entitled to subscribe for the amount so required, in proportion to the amounts of capital stock then held by them; and if any shall neglect to subscribe, or shall subscribe for less than his proportion, the others may subscribe equally for the remainder.

Fourth.—Every person refusing or neglecting to subscribe to the capital stock of said company as originally declared, or to any subsequent increase thereof, or to pay his subscription or any installment thereof, at the times prescribed at the first meeting of said company, as aforesaid, or by the resolutions or by-laws of the said company, all his rights, powers and privileges, under said grant of the parties of the first part and all his interests therein, shall be deemed to be freely and voluntarily waived and abandoned for the benefit of said company and its remaining members, and shall cease, determine, and be utterly null and void; and he shall no longer be a member of said company, nor have any voice in the management of its affairs, nor any title or interest in its property; but such waiver and abandonment shall not be deemed to have taken place until twenty days shall have elapsed after such person shall have had written notice of the required subscription or payment. But such person may, by a resolution duly adopted by said company, be reinstated in any or all of the rights, privileges, and advantages, so as aforesaid waived and lost, but upon such terms and conditions as may be thereby provided.

Fifth.—Every person who shall become a member of said company shall thereby become a party to this agreement and all its conditions and stipulations; and the company may direct the mode by which future members shall become so obligated; and no person shall become a member except on condition of becoming so obligated by agreement, in writing, duly executed.

Sixth.—The said railroad grant, property rights, and appurtenances shall belong to and be the property of the persons who, for the time being, shall compose the said Eighth Avenue Railroad Company, in proportions equivalent to their shares of said capital stock; subject, however, to the management of the same, in the manner herein provided.

Seventh.—Any shareholder may transfer his shares or interest after he shall have paid one-third of his original subscription on procuring the consent of a majority in interest of the shareholders, expressed by a resolution duly adopted; subject, however, to the provisions of this agreement, and on such terms and conditions as the by-laws may prescribe.

Eighth.—This company shall not be dissolved by the death or insolvency of any of its members, nor by act or operation of law, but in such and the like cases shall continue, and the persons becoming lawfully entitled to the shares shall become members of the said company; and said company shall have authority to incorporate themselves under the general railroad act, whenever two-thirds in interest of the shareholder shall require the same.

In witness whereof, to one part of these presents, remaining with the said parties of the first part, the said parties of the second part have affixed their hands and seals; and to the other part thereof, remaining with the said parties of the second part, the said parties of the first part have caused the common seal of the City of New York to be affixed the day and year first above written.

JOHN PETTIGREW.	[L. S.]	JOHN J. DURYEA.	[L. S.]
E. R. SHERMAN.	[L. S.]	WASHINGTON SMITH.	[L. S.]
JESSE A. MARSHALL.	[L. S.]	SOLOMON KIPP.	[L. S.]
TIMOTHY TOWNSEND.	[L. S.]	J. N. BARNES.	[L. S.]
JOHN O'KEEFE.	[L. S.]	ABRAHAM BROWN.	[L. S.]

Sealed and delivered in presence of HENRY H. ANDERSON, as to Sherman, Pettigrew, Marshall, Townsend, and the others.
City and County of New York, ss.:

On the sixth day of September, one thousand eight hundred and fifty-one, before me personally came Edmund R. Sherman; on the eighth day of said month before me personally came John Pettigrew; on the tenth day of said month before me personally came Jesse A. Marshall and Timothy Townsend; on the thirteenth day of said month before me personally came John O'Keefe and John J. Duryea and on the fifteenth day of said month before me personally came Washington Smith, Solomon Kipp, Joseph N. Barnes, and Abraham Brown, all of whom are known to me to be persons described in and who executed the foregoing agreement; and the said parties above named, severally upon the days above named, acknowledged that they executed said foregoing instrument.

HENRY H. ANDERSON, Commissioner of Deeds.

OFFICE OF H. J. BAKER & BRO., No. 95 WILLIAM STREET, NEW YORK CITY, April 7, 1897. To the Mayor, Aldermen and Commonalty of the City of New York, to the Comptroller of the City of New York, to the Commissioners of the Sinking Fund of the City of New York:

GENTLEMEN—An examination of the public records of this City shows that the City is in a position to dispose of two valuable street-car franchises, to wit: Those now being operated by the Metropolitan Street Railway Company, and known, respectively, as the "Eighth Avenue Railroad" and "Sixth Avenue Railroad" (the latter including the road operated on Lenox avenue above Central Park). Both of these franchises were granted by the Common Council in September, 1851, subject to the express condition as to the Eighth avenue road that no motive power excepting horses should be used below Fifty-first street, and as to the Sixth avenue road that no motive power excepting horses should be used below Forty-second street, and as to both roads, that the licensees and grantees should surrender, convey and transfer the said roads, respectively, to the Corporation of the City of New York whenever required so to do on payment by the corporation of the cost of said road with ten per cent. advance thereon.

While up to the present time it may not have been incumbent upon the City officials to take any action in regard to these franchises, as the successors in interest of the original parties have been operating them practically in accordance with the respective charters, it seems proper at this time that the City should exercise its right of re-entry as the parties in interest have given notice that they intend to act independently of the franchises and in direct violation of their conditions, intend to change the motive power from that to which the franchises expressly limits them.

The initiative, therefore, having come from those parties themselves, there can be no adverse criticism if the City shall step in at this time and exercise the rights which by the wisdom and forethought of the members of the Common Council of 1851, were wisely preserved.

I offer and am prepared to pay the sum of one million dollars for each of the above-mentioned franchises (taking either or both), to be paid in cash on receipt of the proper resolutions, and I also agree to convey such franchises or have them delivered direct, as the Corporation Counsel shall advise, to a railroad corporation to be organized so as to comply with the law in that respect, the incorporation whereof shall be approved by such Corporation Counsel, and I agree to accept, or cause to be so accepted, such franchises, or either of them, subject to conditions as follows:

1. That in addition to such sum of one million dollars for each franchise, I will pay all sums which the City of New York will be required to pay to the owners of such roads and franchises, representing the cost of construction, and ten per cent. additional, as required by said contract of September, 1851.

2. That in addition to such sums representing the purchase price, there shall be paid, as provided by law, to the City of New York, an annual charge equal to three per cent. of the gross proceeds for the first five years and five per cent. thereafter, but such sum in no year to be less than fifty thousand dollars on each road.

3. That the motive power used shall be approved by the proper officers of the City of New York and the Board of Railroad Commissioners of the State of New York, and shall exclude steam power.

4. That such franchises shall be subject to such provisions as shall be established by the City of New York and the said Board of Railroad Commissioners as to exchange of passengers with any and all connecting street surface railways, it being my intention that the said roads shall accept transfers from all connecting roads and to give transfers to all which will accept them.

I also agree that if such franchises, or either of them, are delivered to me, or such corporation organized by me, that I will properly indemnify the City of New York against any loss or damage by reason of its action in so doing, and that such indemnity shall be in the form and manner to be approved by the Corporation Counsel in the sum of at least \$50,000; and I further agree that if at any time it shall be adjudged that the City of New York was not authorized to deliver such franchises, that neither myself nor my assigns shall have any claim or make any demand for damages by reason thereof.

In making this proposition and requesting these franchises I have endeavored to put a fair and proper value upon them and to suggest limitations and conditions that will be satisfactory to the City and advantageous to the public, and in case any question shall arise as to whether such franchises should be sold at auction, I am prepared to bid the above amounts on the above conditions, and if the proper officers of the City will advertise the same I will forthwith enter into a bond of \$50,000 that I will bid the above amounts on the sales thereof.

Trusting that my request will receive your favorable consideration, I am,
Yours, very respectfully,
HENRY J. BRAKER.

Know all men by the presents, that we, Alexander Hadden, of the City, County and State of New York, as principal, and the Fidelity and Deposit Company of Maryland of No. 35 Wall street in said City as surety, are held and firmly bound unto John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tate, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as trustee of the property, funds and effects of the City of New York, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants, in the penal sum of one thousand dollars, to be paid to the said defendants, their successors and assigns; to which payment well and truly to be made, the said Alexander Hadden binds himself, his heirs, executors and administrators, and the said company binds itself, its successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals. Dated this eighth day of May, one thousand eight hundred and ninety-seven.

Whereas, The above bounden Alexander Hadden, a taxpayer, is about to commence an action in the Supreme Court of the State of New York, entitled "Alexander Hadden against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tate, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as trustee of the property, funds and effects of the City of New York, the Eighth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York," to prevent certain illegal official acts, and to prevent waste and injury to the property, funds and estate of the said City of New York, and for the purpose of perpetually enjoining and restraining the defendants, the Metropolitan Street Railway Company and the Eighth Avenue Railroad Company from operating and maintaining a railroad on Eighth avenue, and be required to remove its tracks and restore the street to its former condition; and

Now, therefore, the condition of the above obligation is such, that if the above bounden Alexander Hadden shall pay all costs that may be awarded the defendants in said action, if the Court shall finally determine the same in favor of the defendants, then this obligation to be void; otherwise to remain in full force and effect.

ALEXANDER HADDEN, FIDELITY AND DEPOSIT COMPANY OF MARYLAND, EDWARD T. PLATT, Attorney-in-Fact.

Attest: JOHN W. WOOTEN, Attorney.
City and County of New York, ss.:

On this 10th day of May, 1897, before me personally appeared Alexander Hadden, to me known and known to me to be the individual described in and who executed the foregoing instrument and duly acknowledged to me that he executed the same.

WILLIAM H. BARTLETT, Notary Public, New York County, No. 28.
State of New York, City and County of New York, ss.:

On this eighth day of May, in the year 1897, before me personally appeared Edward T. Platt, attorney-in-fact of the Fidelity and Deposit Company of Maryland, with whom I am personally acquainted, who, being by me duly sworn, said: That he resides in the city of New York; that

he is the attorney-in-fact of the Fidelity and Deposit Company of Maryland; that he knows the corporate seal of said company; that the seal affixed to the within instrument is such corporate seal; that it was affixed thereto by order of the Board of Directors of said company, and that he signed said instrument as attorney-in-fact of said company by like authority, and that the liabilities of said company do not exceed its assets as ascertained in the manner provided in section 3 of chapter 720 of the Session Laws of the State of New York for the year 1893, and that, to the best of his knowledge and belief, the financial condition of said company is as favorable now as it was when its last annual statement was made. And the said Edward T. Platt further said that he is acquainted with John W. Wooten and knows him to be the attorney of the said company; that the signature of the said John W. Wooten subscribed to the said instrument is in the genuine handwriting of the said John W. Wooten, and was thereto subscribed by the like order of the Board of Directors and in the presence of him the said Edward T. Platt.

J. WHITMORE BARRY, Notary Public, New York County.

At a special meeting of the Board of Directors of the Fidelity and Deposit Company of Maryland, held at the office of the Company, in the City of Baltimore, State of Maryland, on the seventeenth day of July, A. D. 1896, at which was present a quorum of said Directors, duly authorized to act in the premises, on motion, it was unanimously

"Resolved, That in pursuance of section eight hundred and eleven of the Code of Civil Procedure of the State of New York, Henry B. Platt, managing director, or John W. Wooten, attorney, or Frank H. Platt, Theodore F. Wood, Edward T. Platt and Theodore F. Swayze, attorneys-in-fact of this company in the State of New York, be, and each of them is, hereby authorized and empowered to sign, execute and deliver any and all bonds or undertakings for or on behalf of this company, and to attach thereto the seal of the corporation, the same to be attested by the said John W. Wooten, attorney of the company, or by either one of the other persons above named as occasion may require."

City and County of New York, ss.:

I, John W. Wooten, attorney of the Fidelity and Deposit Company of Maryland, in the State of New York, have compared the foregoing resolution with the original thereof, as recorded in the minute book of said company, and do hereby certify that the same is a true and correct transcript therefrom, and of the whole of the said original resolution.

Given under my hand and the seal of the company, at the City of New York, this 8th day of May, 1897.

JOHN W. WOOTEN, Attorney.

Statement of Condition of Fidelity and Deposit Company of Maryland, at the Close of Business, April 30, 1897.

Par Value.	Real Estate (Fidelity Building).....	Market Value.
\$.....	Baltimore City Stock, 3½ per cent., 1928-1930-1940-1945.....	\$596,726 60
501,800.	Baltimore City Stock, 6 per cent., 1900.....	529,116 00
48,000.	State of Maryland Insane Asylum Bonds, 3½ per cent. Loan.....	51,120 00
100,000.	State of Georgia, 4½ per cent. Bonds, 1911-1912-1916.....	103,000 00
125,000.	State of Tennessee, 3 per cent. Bonds.....	140,468 75
30,000.	City of Buffalo, N. Y., 3½ per cent. Bonds.....	26,400 00
50,000.	City of Westminster, Md., 4½ per cent. Bonds.....	51,750 00
25,000.	City of Frederick, Md., 4 per cent. Bonds.....	25,000 00
27,500.	City of Petersburg, Va., 5 per cent. Bonds.....	28,180 00
25,000.	City of Richmond, Va., 4 per cent. Bonds.....	26,750 00
25,000.	Lucas County, Ohio, Court House, 4 per cent. Bonds.....	25,000 00
30,000.	Baltimore Traction Co. Bonds (N. B. Division), 1st 5's.....	30,000 00
100,000.	City and Suburban Ry. Co. of Baltimore Bonds, 1st 5's.....	110,080 00
48,000.	Lake Roland Elev. 1st 5 per cent. Bonds, guaranteed by C. & S. Ry. Co.	52,800 00
35,000.	Virginia Midland R. R. Co., 6 per cent. Bonds.....	37,756 25
41,000.	Wilmington & Weldon R. R. Co., 5 per cent. Bonds.....	47,240 00
50,000.	Charlotte, Columbia & Augusta R. R. Co. Bonds.....	59,125 00
25,000.	Petersburg R. R. Co., Class "B" 6 per cent. Bond.....	26,500 00
10,000.	Georgia Pacific R. R. Co., 6 per cent. Bonds.....	11,300 00
11,000.	Raleigh & Gaston R. R. Co., 5 per cent. Bonds.....	12,100 00
30,000.	Consolidated Gas Co. of Baltimore, 5 per cent. Bonds.....	30,000 00
50,000.	Chesapeake Gas Co. of Baltimore, 6 per cent. Bonds.....	52,750 00
14,000.	Agents Debit Balances, less commissions.....	14,700 00
.....	Premiums in course of collection (Home Office).....	104,800 35
.....	Cash in Office and Banks.....	6,638 99
.....		101,997 18
.....		\$2,301,299 12

LIABILITIES.	
Capital stock (paid in).....	\$1,000,000 00
Surplus.....	750,000 00
Premium reserve requirement.....	366,627 55
Claims adjusted (check out).....	679 38
Claims in process of adjustment.....	2,443 34
Claims reported but proof not filed, etc.....	27,940 82
Undivided profits.....	153,608 03
	\$2,301,299 12

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

John W. Wooten, being duly sworn, says that he is the attorney of the Fidelity and Deposit Company of Maryland; that the foregoing is a true and correct statement of the financial condition of said company, as of April 30, 1897, to the best of his knowledge and belief, and that the financial condition of said company is as favorable now as it was when such statement was made.

JOHN W. WOOTEN.

Subscribed and sworn to before me this 8th day of May, 1897.

J. WHITMORE BARRY, Notary Public, New York County.

SUPREME COURT.

Trial desired in the County of New York.

Alexander Hadden, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tate, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, constituting the Common Council of the City of New York, The Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, The Sixth Avenue Railroad Company, The Metropolitan Street Railway Company, and The Mayor, Aldermen and Commonalty of the City of New York, defendants—Summons—Sixth Avenue Railroad.

To the above-named defendants, and each of them:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer on the plaintiff's attorney within twenty days after the service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated May 10, 1897.

GEORGE HILL, Plaintiff's Attorney, post-office address and office, No. 206 Broadway, New York City.

SUPREME COURT,

Trial desired in the County of New York.

Alexander Hadden, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tate, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Metropolitan Street Railway Company and The Mayor, Aldermen and Commonalty of the City of New York, defendants—Complaint.

Plaintiff complains of the defendants, and alleges as follows:

I.—The plaintiff is, and at all the times hereinafter mentioned, was a citizen and resident of the City of New York, and his assessment for taxes in said city amounts to one thousand dollars (\$1,000), and he is liable to pay taxes on such assessment in said city, and he has been assessed and paid taxes upon an assessment of the above-named amount within one year previous to the commencement of this action, and he brings this action under the provisions contained in and pursuant to the authority conferred by chapter 301 of the Laws of 1892, and the provisions of section 1925 of the Code of Civil Procedure, as amended by chapter 524 of the Laws of 1892, and pursuant to the provisions of section 101 of chapter 410 of the Laws of 1882, known as the Consolidation Act of the City of New York.

Plaintiff further alleges, upon information and belief, as follows:

II.—That the defendant, the Sixth Avenue Railroad Company, was incorporated under the General Railroad Law, being chapter 140 of the Laws of 1850, and filed its articles of association in the office of the Secretary of State on the 29th day of December, 1851, and claims to be a domestic corporation.

III.—That the defendant, the Metropolitan Street Railway Company, is a domestic corporation formed by the consolidation of several domestic railroad corporations, including the former Houston, West Street and Pavia Ferry Railroad Company, which at the time of the consolidation was the

lessee of the railroad of the Sixth Avenue Railroad Company, and to which rights as lessee, the said Metropolitan Street Railway Company succeeded on consolidation.

IV.—That the defendants, the Mayor, Aldermen and Commonalty of the City of New York, were and are a municipal corporation, charged with the duties imposed, and exercising the powers conferred by the charter of said city, and the various statutes of the State in addition thereto and amendatory thereof.

V.—That the Common Council of the City of New York and the several members thereof, the individual defendants herein, are trustees of the property, funds and effects of the City of New York, and among such property, funds and effects of which the said Common Council and the said individual defendants members thereof are trustees, and which is committed to their management and control is the right, privilege and option reserved in the resolution and agreement annexed to the complaint herein authorizing the Corporation of the City of New York to require and receive from the defendant the Sixth Avenue Railroad Company of the City of New York, a surrender, conveyance and transfer of its road; and the other rights, privileges and interests conferred upon and reserved to the said Corporation of the City of New York, under and pursuant to the terms of said resolution and contract hereto annexed and made a part of this complaint.

VI.—That the individual defendants are and each of them is an Alderman of the City of New York, and a member of the Common Council thereof.

VII.—That on or about the fourth day of June, 1851, the Common Council of the City of New York adopted a resolution, which was approved by the Mayor, granting to James S. Libby and other persons therein named the authority and consent of the Common Council to lay and construct a railroad upon the streets and avenues mentioned in the resolution and agreement, a copy of which agreement, which contains a copy of said resolution, is hereto annexed and made a part of this complaint.

VIII.—That subsequently and on or about the sixth day of September, 1851, the grantees in said resolution and agreement named, made, executed and delivered to the Mayor, Aldermen and Commonalty of the City of New York, the said agreement.

IX.—That subsequent to the passage of said resolution and the execution and delivery of said agreement, the grantees Libby and others formed a corporation, under and pursuant to the provisions of the General Railroad Act of 1850, under the name of the Sixth Avenue Railroad Company, and filed its articles of association in the office of the Secretary of State on the 29th day of December, 1851. The route designated in said articles of association is as follows:

"That said road is to be constructed from Chambers street, in said City of New York, and such other points in said city as shall be determined by the Common Council thereof, and extend to the Harlem river, and is to be constructed, maintained and operated to the said Harlem river."

X.—That upon the incorporation of the said Sixth Avenue Railroad Company it became the owner by purchase and assignments of the rights granted by the said resolution of 1851 and the said agreement, which said resolution and said agreement were ratified and confirmed by chapter 140 of the Laws of 1854.

That under the authority of said resolution and agreement and said confirmation thereof by the Act of 1854 and not otherwise, the said grantees in said resolution named and the said Sixth Avenue Railroad Company constructed and now maintain and operate a railroad upon the streets, avenues and highways in said resolution and agreement mentioned.

XI.—That the said resolution of 1851 and the agreement and the said provisions of the General Railroad Act of 1850, and the acts of the Legislature in addition thereto and amendatory thereof, and chapter 140 of the Laws of 1854, constitute the charter of the said Sixth Avenue Railroad Company, and as such the provisions thereof define and limit the rights and powers, and measure the duties and obligations, of said Sixth Avenue Railroad Company, and the said Metropolitan Street Railway Company, as lessees thereof, in respect of the operation and maintenance of the railroad of said Sixth Avenue Railroad Company.

XII.—That the right, privilege and option reserved in and by said resolution and agreement to the Corporation of the City of New York being the defendants the Mayor, Aldermen and Commonalty of the City of New York to require, demand and receive a surrender, transfer and conveyance of the railroad of the said Sixth Avenue Railroad is of great value, to wit: several millions of dollars and that responsible parties have heretofore offered to the Mayor, Aldermen and Commonalty of the City of New York, the Comptroller of the City and the Commissioners of the Sinking Fund thereof the sum of one million dollars in excess of the cost of said railroad to said city for the same, if the option reserved in said resolution and agreements to said city to purchase and acquire said railroad should be exercised by it.

A copy of one of said offers is hereto annexed and made part of this complaint.

XIII.—That the cost of said road of the Sixth Avenue Railroad Company, with ten per cent. advance thereon, does not exceed the sum of two million dollars, and that should the Corporation of the City of New York, being the defendants the Mayor, Aldermen and Commonalty of the City of New York, exercise the right, privilege and option reserved to it in and by the terms of said resolution and agreement, and acquire said railroad it could sell and dispose of the same at a profit of more than one million dollars, or could lease the same for a term of years so as to realize a net annual rental of at least the sum of one hundred thousand dollars.

That the railroad of the said Sixth Avenue Railroad Company is now operated by the defendant the Metropolitan Street Railway Company under a lease in and by which there is reserved a net annual rental of about \$145,000.

XIV.—That the defendant the Common Council of the City of New York and the individual defendants members of said Common Council have omitted and neglected and still omit and neglect to take any act or proceeding towards the acquisition of the railroad of the defendant the Sixth Avenue Railroad Company notwithstanding the offer aforesaid and notwithstanding the fact that such acquisition would not fail to realize great profit to the defendant the Mayor, Aldermen and Commonalty of the City of New York and the corporation of said city as aforesaid, and that the omission of said defendant to acquire said property will and does constitute waste and injury to the property, estate, funds and effects of the City of New York.

That neither the grantee in said resolution and agreement named, nor the Sixth Avenue Railroad Company, have ever performed the conditions, stipulations, agreements and covenants on their part to be kept and performed, but, on the contrary, they have failed to perform the same in many particulars, especially in that they have failed and omitted to file with the Comptroller a statement, under oath, of the cost of each mile of railroad completed as required in and by said resolution and agreement.

XV.—That the defendant the Sixth Avenue Railroad Company and the Metropolitan Street Railway Company, or one of them, subsequent to the year 1893, constructed and now operate a railroad on Sixth avenue from One Hundred and Tenth street to the Harlem river, in the City of New York, under, as claimed by them, the authority of the said resolution and agreement hereto annexed. The said railroad was so constructed and is operated without the said defendants, or either of them, having obtained the consent of the owners of one-half in value of the property bounded on that portion of Lenox avenue upon which said railroad is constructed and operated; and without having obtained in lieu thereof the determination of commissioners that said railroad ought to be constructed and operated, as required by section 94 of the Railroad Law, and without a sale of the right, franchise and privilege of using said portion of Lenox avenue as required by section 93 of the Railroad Law.

Wherefore plaintiff prays that it be adjudged and decreed as follows:

I.—That the defendant, the Common Council and the several members thereof are trustees of the property, funds and effects of said city, so far as such property, funds and effects are or may be committed to their management or control.

II.—That among the property, funds and effects of the City of New York, committed to the management and control of the defendant, the Common Council of the City of New York and the several members thereof as trustees, is the right or option to require and obtain a surrender, transfer or conveyance of the road of the defendant the Sixth Avenue Railroad under and pursuant to the terms and conditions of the resolution and agreement annexed to the complaint.

III.—That the defendant, the Sixth Avenue Railroad Company, forthwith file with the Comptroller of the City of New York the statement mentioned and referred to in said agreement, of the cost of each mile of road completed.

IV.—That the defendants, the Common Council and the members thereof and each of them, and the Mayor, Aldermen and Commonalty of the City of New York, be adjudged forthwith to exercise the right and option and privilege reserved in and by said resolution and agreement to require, compel and receive a surrender, transfer and conveyance of the railroad of the defendant, the Sixth Avenue Railroad Company, and to that end take all and every step, action and proceeding necessary to the acquisition of the same.

V.—That the defendants, the Common Council and the members thereof and each of them, be perpetually enjoined and restrained from in any manner surrendering or releasing the right and option reserved in and by said agreement to the corporation of the City of New York; to require, compel and receive a surrender and transfer of the railroad of the defendant, the Sixth Avenue Railroad Company, except upon a good, sufficient and valuable consideration, and that a like temporary injunction, during the pendency of this action, may be granted by order enjoining and restraining said defendants and each of them from in any manner surrendering or releasing the right and option reserved in and by said agreement to the corporation of the City of New York, to require, compel and receive a surrender and transfer of the railroad of the defendant, the Sixth Avenue Railroad Company, except upon a good, sufficient and valuable consideration.

VI.—That the plaintiff may have such other, further and different relief as may be just and proper in the premises, with the costs of this action.

GEORGE HILL, Attorney for Plaintiff, Office and Post Office Address, No. 206 Broadway, New York City, N. Y.
State of New York, City and County of New York, ss:

Alexander Hadden, being duly sworn, deposes and says that he is the plaintiff above-named; that he has read the foregoing complaint and knows the contents thereof; that the same is true of

his own knowledge except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes the same to be true. ALEXANDER HADDEN.

Sworn to before me, this 10th day of May, 1897.

WILLIAM H. BARTLETT, Notary Public, N. Y. Co., No. 28.

(Made part of foregoing Complaint.)

SIXTH AVENUE RAILROAD.

Agreement made this sixth day of September, in the year one thousand eight hundred and fifty-one, between the Mayor, Aldermen and Commonalty of the City of New York, parties of the first part, and the persons named in the resolutions hereinafter set forth, who shall duly sign and execute this agreement, and their successors, associates and assigns, duly becoming parties thereto, as hereinafter provided, of the second part.

Whereas, The said parties of the first part, in Common Council convened, did, on the fourth day of June, one thousand eight hundred and fifty-one, duly pass and adopt the following resolutions, which were afterwards, and on the thirtieth day of July, in said year, duly signed and approved by the Mayor of said city, and became operative and binding in the words and figures following:

Resolved, That the persons to whom permission is granted by the following resolutions, and those who may hereafter become associated with them, have the authority and consent of the Common Council to lay a double track for a railroad in the following streets, viz.: From a point at the intersection of Chambers street and West Broadway, thence along West Broadway to Canal street, thence along and down Canal street to Hudson street, thence along Hudson street and Eighth avenue to a point at or near Fifty-first street; and that said railroad be continued through the Eighth avenue to Harlem river, whenever required by the Common Council, and as soon and as fast as said avenue is graded, upon the following stipulations and conditions, viz.: Such track or tracks to be laid under the direction of the Street Commissioner, and on such grades as are now established or may hereafter be established, by the Common Council, the said parties to become bound in a sufficient penalty to keep in good repair the space between the track and the space outside the same, on either side, of at least eight feet in width, of each street in which the rails are laid; and also, that no motive power, excepting horses, be used below Fifty-first street; and upon the further condition that said parties shall place new cars on said railroad, with all the modern improvements, for the convenience and comfort of passengers; and that they run cars thereon, each and every day, both ways, as often as the public convenience may require, under such direction as the Street Commissioner and Common Council may from time to time prescribe.

And provided, also, that the said parties shall in all respects comply with the direction of the Street Commissioner and of the Common Council in the building of said railroad and in the running of the cars thereon, and in any other matters connected with the regulation of said railroad.

And provided, also, that the said parties shall, before this permission takes effect, enter into a good and sufficient agreement with the Mayor, Aldermen and Commonalty of the City of New York, to be drawn and approved by the Counsel to the Corporation, binding themselves to abide by and perform the stipulations and provisions herein contained, and also all such other resolutions or ordinances, as may be passed by the Common Council relating to the said road;

And further, that they run a car thereon each and every day, both ways, as often as every fifteen minutes from five to six o'clock A. M.; and every four minutes from six o'clock A. M. to eight o'clock P. M., every fifteen minutes from eight o'clock P. M. to twelve o'clock P. M., and every thirty minutes from twelve o'clock P. M. to five o'clock A. M., and as much oftener as public convenience may require, under such directions as the Common Council may from time to time prescribe.

Also, that the rate of passage on said railroad shall not exceed a greater sum than five cents for the entire length of said road; and also, that the Common Council shall have the power to cause the same, or any part thereof, to be taken up at any time they may see fit; and also, that the said parties, or either of them, shall not assign their interests in the said road without first obtaining the consent of the Common Council thereto; also, that such track or tracks shall be laid upon a foundation of concrete, with a grooved rail, or such other rail as may be approved by the Street Commissioner, even with the surface of the streets through which they may pass, and shall be commenced within three months, and completed to Fifty-first street within one year, and from Fifty-first street to the Harlem river within three years, from the passage of this resolution; also, that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Fifty-first street; that the said parties are to keep an account of the receipts of each road monthly, and report the same to the Comptroller monthly, under oath; that the said parties shall connect their road with such other road as the Common Council may order to be connected therewith; that they shall file with the Comptroller a statement, under oath, of the cost of each mile of road completed, and agree to surrender, convey and transfer the said road to the Corporation of the City of New York, whenever required so to do, on payment by the corporation of the cost of said road, as appears by said statements, with ten per cent. advance thereon.

That said parties, on being required at any time by the Corporation, and to such extent as the Common Council shall determine, shall take up, at their own expense, said rails, or such part thereof as shall be required; and in failure so to do in ten days after such requirements the same may be done at their expense by the Street Commissioner.

Resolved, That the persons to whom permission is granted by the following resolutions have the authority and consent of the Common Council to lay a single track in the following streets: Commencing at the corner of Chambers street and West Broadway, through Chambers street to Church street, through Church street to Canal street, and through Canal street to Wooster street, through Wooster street to Fourth street, to Thompson street, with a single track; thence with a double track through Fourth street and Sixth avenue to Harlem; also to lay a single track in Thompson street, from Fourth street to Canal street and to connect with the Eighth Avenue Railroad, and extend the same up Sixth avenue to Harlem river whenever required by the Common Council, and as soon and as fast as said avenue is graded sufficiently to permit such track to be laid, upon the same terms, stipulations and conditions as are provided in the annexed resolutions in relation to the railroad upon the Eighth avenue, except that no motive power except horses shall be used below Forty-second street; that said railroad upon the Sixth avenue shall be commenced within three months, and completed to Forty-second street within one year, and from Forty-second street to the Harlem river within three years from the passage of this resolution; also that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Thirty-second street; and that such parts of the Eighth Avenue road as may be used by the Sixth Avenue road, from the connection in Canal street and West Broadway to Chambers street, shall be built at the joint expense of the said Sixth and Eighth Avenue roads.

Resolved, That each of said passenger cars to be used on said roads shall be annually licensed by the Mayor; and there shall be paid annually for each license such sum as the Common Council shall hereafter determine.

Resolved, That the permission granted to lay or build a railroad in the following streets, viz.: Commencing at a point at the intersection of West Broadway and Chambers street, thence through Chambers street to Church street, through Church street to Canal street, through Canal street to Wooster street, through Wooster street to Fourth street, with a single track; thence through Fourth street to Sixth avenue, and through Sixth avenue to Harlem, with a double track; also to lay a single track in Thompson street, from Fourth street to Canal street, to connect with the Eighth Avenue Railroad, be given to James S. Libby, George R. Howell, William Flagg, William H. Adams, John Post, Junior, Edmund Morris, Matthew D. Green, John Ridley, William Ebbitt, Ward Bolster and Jackacs, Finch, Sanderson & Beers.

Whereas, Said parties of the first part, on the said fourth day of June, one thousand eight hundred and fifty-one, in Common Council convened, did duly pass and adopt certain other resolutions, which were likewise duly signed and approved by the said Mayor on the said 30th day of July, one thousand eight hundred and fifty-one, and became operative and binding, providing for the laying or building of another railroad, designated as the Eighth Avenue Railroad, provided for in said resolutions hereinbefore set forth, designated as the Eighth Avenue Railroad; and further providing and directing that such parts of the Eighth Avenue Railroad as may be used by the Sixth Avenue road, from the connection in Canal street and West Broadway to Chambers street, should be built at the joint expense of said Sixth and Eighth Avenue roads; and

Whereas, It is deemed necessary by the said parties of the first part, in order to preserve and duly effectuate the grants, objects, stipulations and intentions of the said resolutions, and for the purpose of more specifically determining the interest of the said parties in the rights and privileges granted by said resolutions, that provision should be made for an organization or association between the said parties of the second part, their successors, associates and assigns, duly admitted according to this agreement defining the mode in which the necessary capital for building the said railroad shall be contributed, and the manner in which the construction and management of the said railroad shall be conducted and controlled;

Now, it is hereby mutually declared that the separate and individual interest of any or either of the said parties of the second part, their successors, associates and assigns, in the said grant, and all licenses, rights, privileges and powers conferred or provided for in the said resolutions, shall be conditioned and dependent upon the strict observance, performance and fulfillment by such person of the terms of said resolutions and of this agreement; and that in case of failure to perform the same and every part thereof, said grant shall be inoperative as to such person so failing, and his interest therein shall cease and determine, said grant remaining operative in every respect as to all other of said parties, their successors, associates and assigns; and it is hereby covenanted, agreed and declared by and between the parties aforesaid as follows, viz.:

First.—The said parties of the second part, for themselves and their successors, associates and assigns, do hereby covenant and agree with the said parties of the first part, and with each other, that they will well and truly observe, perform, fulfill and keep the said resolutions hereinbefore particularly set forth, and all and every the provisions, stipulations, restrictions and conditions therein contained and thereby imposed, according to the true intent and meaning thereof; it

being understood that the rate of passage on said road shall not exceed five cents for any distance, and also that the said road shall be completed at the times and in the manner stated in said resolutions.

Second—The said parties of the second part, to the end that the provisions and intentions of the said resolutions may be fully carried into effect, the interests of the respective parties definitely ascertained, and the manner in which the construction and management of said road shall be conducted and controlled effectually defined, do further covenant and agree with the said parties of the first part, and with each other, to associate and organize themselves together in the manner and upon the terms and conditions following, viz.:

Within ten days after this agreement is duly executed the said parties of the second part, unless they, or a majority of them, shall have previously organized themselves to the same effect as herein provided, shall and will organize themselves into an association or company, to be called the Sixth Avenue Railroad Company, for the purpose of constructing, operating and managing said railroad; the first meeting of said parties to be called by the Clerk of the Common Council, who shall, within three days after the due execution of this agreement, give, or cause to be given, a notice in writing, delivered to the persons composing the said parties of the second part, personally, or left at their residence or place of business, specifying the time and place when and where such meeting shall be held. The said parties of the second part, or as many of them as shall meet in pursuance of said notice, shall thereupon proceed, as before provided, to organize themselves into the said company, and shall have power and authority, by the votes of a majority of the parties so assembled,

1. To estimate and declare the amount of capital requisite to construct the said railroad, provide cars, motive power, stations, buildings, fixtures, and for all other expenses requisite to put the said railroad into thorough practical operation.

2. To prescribe the mode in which said capital, and all other sums that may thereafter be required for the business of said company, shall be subscribed for, and the time or times when the same shall be paid in, and the manner in which the shares and interests of the parties refusing or neglecting to subscribe or to pay may be forfeited.

3. To adopt suitable resolutions, bye-laws, rules and regulations for the organization of said company, the subscription and payment of its capital, and all other sums that may thereafter be required for its construction, operation and future business, the execution of contracts, the liability of members, the term, compensation, accountability, election, removal, and duties of its officers, the disbursements of monies, the transfer or assignment of the shares of its members, and the entire management, direction and control of its affairs, business, property and officers. Such bye-laws may be altered from time to time in the manner prescribed therein.

Third—The said parties of the second part shall be entitled to subscribe equally for the amount proposed as the original capital stock of said company; and if any of them neglect to subscribe, or shall subscribe less than his proportion, the others may subscribe equally for the remainder, so as to make up a subscription for the whole amount. If, for any reason, it shall be requisite to make other subscriptions, the persons who shall then be members of said company shall be entitled to subscribe for the amount so required, in proportion to the amounts of capital stock then held by them; and if any shall neglect to subscribe, or shall subscribe for less than his proportion, the others may subscribe equally for the remainder.

Fourth—Every person refusing or neglecting to subscribe to the capital stock of said company as originally declared, or to any subsequent increase thereof, or to pay his subscription or any installment thereof, at the times prescribed at the first meeting of said company as aforesaid, or by the resolutions or bye-laws of the said company, all his rights, powers, and privileges under said grant of the parties of the first part, and all his interest therein, shall be deemed to be freely and voluntarily waived and abandoned for the benefit of said company and its remaining members, and shall cease, determine, and be utterly null and void; and he shall no longer be a member of said company, nor have any voice in the management of its affairs, nor any title or interest in its property. But such waiver and abandonment shall not be deemed to have taken place until twenty days shall have elapsed after such person shall have had written notice of the required subscription or payment. But such person may, by a resolution duly adopted by said company, be reinstated in any or all of the rights, privileges, and advantages so as aforesaid waived and lost; but upon such terms and conditions as may be thereby provided.

Fifth—Every person who shall become a member of said company shall thereby become a party to this agreement and all its conditions and stipulations; and the company may direct the mode by which future members shall become so obligated; and no person shall become a member except on condition of becoming so obligated by agreement, in writing, duly executed.

Sixth—The said railroad grant, property, rights and appurtenances shall belong to and be the property of the persons who, for the time being, shall compose the said Sixth Avenue Railroad Company, in proportions equivalent to their shares of said capital stock; subject, however, to the management of the same in the manner herein provided.

Seventh—Any shareholder may transfer his shares or interest, after he shall have paid one-third of his original subscription, on procuring the consent of a majority in interest of the shareholders, expressed by resolution duly adopted, subject, however, to the provisions of this agreement, and on such terms and conditions as the bye-laws may prescribe.

Eighth—This company shall not be dissolved by the death or insolvency of any of its members, nor by act or operation of law, but in such and the like cases shall continue, and the persons becoming lawfully entitled to the shares shall become members of the said company, and said company shall have authority to incorporate themselves under the general railroad act whenever two-thirds in interest of the shareholders shall require the same.

In Witness Whereof, to one part of these presents, remaining with the said parties of the first part, the said parties of the second part have affixed their hands and seals; and to the other part thereof, remaining with the said parties of the second part, the said parties of the first part have caused the common seal of the City of New York, to be affixed, the day and year first above written.

WM. H. ADAMS. [L.S.] MATTHEW DAVIS GREENE. [L.S.]
JOHN POST, JR. [L.S.] JOHN RIDLEY, [L.S.]
EDMUND MORRIS. [L.S.] WM. EBBITT. [L.S.]

Sealed and delivered in presence of The words "to Thompson street with a single track," and the words "Fourth street to" being interlined, and the words "to Fourth street," all on the fifth page, being struck out with the pen before execution; also the word "in" on eighth page being written on an erasure before execution.

H. H. ANDERSON, as to Libby, Howell, Flagg, Green, Ebbitt, & Adams and Morris;
In presence of

CARLTON EDWARDS, as to John Post, Junior; and BERD. J. MALONE, as to J. Ridley.
City and County of New York, ss.:

On the ninth day of September, one thousand eight hundred and fifty-one, before me personally came James S. Libby, George R. Howell, William Flagg, William H. Adams, Matthew D. Greene and William Ebbitt, and on the fifteenth day of September, in the same year, before me personally came Edmund Morris, all of whom were known to me to be persons described in and who executed the foregoing instrument, and severally acknowledged that they executed the same; and on the nineteenth day of September, one thousand eight hundred and fifty-one, before me personally came Carlton Edwards, a subscribing witness to said instrument to me known, who, being by me duly sworn, did depose and say that he resides in the City of New York; that he knew John Post, Jr., and knew him to be one of the persons described in and who executed the foregoing instrument; that he saw him sign the same; that he acknowledged in his presence that he executed the same, and that he subscribed his name as a witness thereto. And on the same day before me personally came Bernard J. Malone, one of the subscribing witnesses to said instrument, to me known, who, being by me duly sworn, did depose and say that he resides in the City of New York; that he knew John Ridley, and knew him to be one of the persons described in and who executed the foregoing instrument; that he saw him sign the same; that he acknowledged in his presence that he executed the same, and that he subscribed his name as a witness thereto.

HENRY H. ANDERSON, Commissioner of Deeds.

OFFICE OF H. J. BAKER & BRO., No. 95 WILLIAM STREET, NEW YORK CITY, April 7, 1897.
To the Mayor, Aldermen and Commonalty of the City of New York, to the Comptroller of the City of New York, to the Commissioners of the Sinking Fund of the City of New York:

GENTLEMEN—An examination of the public records of this city shows that the City is in a position to dispose of two valuable street-car franchises, to wit: those now being operated by the Metropolitan Street Railway Company and known, respectively, as the "Eighth Avenue Railroad" and "Sixth Avenue Railroad" (the latter including the road operated on Lenox avenue above Central Park). Both of these franchises were granted by the Common Council in September, 1851, subject to the express condition as to the Eighth Avenue Road that no motive power excepting horses should be used below Fifty-first street, and as to the Sixth Avenue Road, that no motive power excepting horses should be used below Forty-second street, and as to both roads, that the licensees and grantees should surrender, convey and transfer the said roads, respectively, to the Corporation of the City of New York whenever required so to do on payment by the Corporation of the cost of said road with ten per cent. advance thereon.

While up to the present time it may not have been incumbent upon the City officials to take any action in regard to these franchises as the successors in interest of the original parties have been operating them practically in accordance with the respective charters, it seems proper at this time that the City should exercise its right of re-entry as the parties in interest have given notice that they intend to act independently of the franchises and in direct violation of their conditions, intend to change the motive power from that to which the franchises expressly limits them.

The initiative, therefore, having come from those parties themselves, there can be no adverse criticism if the City shall step in at this time and exercise the rights which by the wisdom and forethought of the members of the Common Council of 1851 were wisely preserved.

I offer and am prepared to pay the sum of one million dollars for each of the above-mentioned franchises (taking either or both), to be paid in cash on receipt of the proper resolutions, and I also agree to convey such franchises, or have them delivered direct, as the Corporation Counsel shall advise, to a railroad corporation to be organized so as to comply with the law in that respect, the

incorporation whereof shall be approved by such Corporation Counsel, and I agree to accept, or cause to be so accepted, such franchises, or either of them, subject to conditions as follows:

1. That in addition to such sum of one million dollars for each franchise, I will pay all sums which the City of New York will be required to pay to the owners of such roads and franchises, representing the cost of construction, and ten per cent. additional, as required by said contract of September, 1851.

2. That in addition to such sums representing the purchase price, there shall be paid, as provided by law, to the City of New York, an annual charge equal to three per cent. of the gross proceeds for the first five years, and five per cent. thereafter, but such sum in no year to be less than fifty thousand dollars on each road.

3. That the motive power used shall be approved by the proper officers of the City of New York and the Board of Railroad Commissioners of the State of New York, and shall exclude steam power.

4. That such franchises shall be subject to such provisions as shall be established by the City of New York and the said Board of Railroad Commissioners as to exchange of passengers with any and all connecting street surface railways, it being my intention that the said roads shall accept transfers from all connecting roads and to give transfers to all which will accept them.

I also agree that if such franchises, or either of them, are delivered to me, or such corporation organized by me, that I will properly indemnify the City of New York against any loss or damage by reason of its action in so doing, and that such indemnity shall be in the form and manner to be approved by the Corporation Counsel in the sum of at least \$50,000; and I further agree that if at any time it shall be adjudged that the City of New York was not authorized to deliver such franchises, that neither myself nor my assigns shall have any claim or make any demand for damages by reason thereof.

In making this proposition and requesting these franchises I have endeavored to put a fair and proper value upon them and to suggest limitations and conditions that will be satisfactory to the City and advantageous to the public, and in case any question shall arise as to whether such franchises should be sold at auction, I am prepared to bid the above amounts on the above conditions, and if the proper officers of the City will advertise the same I will forthwith enter into a bond of \$50,000 that I will bid the above amounts on the sales thereof.

Trusting that my request will receive your favorable consideration, I am,

Yours, very respectfully, HENRY J. BRAKER.

Know all men by these presents, That we, Alexander Hadden, of the City, County and State of New York, as principal, and the Fidelity and Deposit Company of Maryland of No. 35 Wall street in said city as surety, are held and firmly bound unto John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustee of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York, defendants, in the penal sum of one thousand dollars, to be paid to the said defendants, their successors and assigns; to which payment, well and truly to be made, the said Alexander Hadden binds himself, his heirs, executors and administrators, and the said company binds itself, its successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals. Dated this eighth day of May, one thousand eight hundred and ninety-seven.

Whereas, the above bounden Alexander Hadden, a taxpayer, is about to commence an action in the Supreme Court of the State of New York, entitled: "Alexander Hadden against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, the Common Council of the City of New York as Trustee of the property, funds and effects of the City of New York, the Sixth Avenue Railroad Company, the Metropolitan Street Railway Company, and the Mayor, Aldermen and Commonalty of the City of New York," to prevent certain illegal official acts, and to prevent waste and injury to the property, funds and estate of the said City of New York, and for the purpose of perpetually enjoining and restraining the defendants, The Metropolitan Street Railway Company and The Sixth Avenue Railroad Company from operating and maintaining a railroad on Sixth avenue, and be required to remove its tracks and restore the street to its former condition; and

Now, therefore, the condition of the above obligation is such, that if the above bounden Alexander Hadden shall pay all costs that may be awarded the defendants in said action, if the Court shall finally determine the same in favor of the defendants, then this obligation to be void, otherwise, to remain in full force and effect.

ALEXANDER HADDEN. FIDELITY AND DEPOSIT COMPANY OF MARYLAND, EDWARD T. PLATT, Attorney-in-fact.

Attest: JOHN W. WOOTEN, Attorney.
City and County of New York, ss.:

On this 10th day of May, 1897, before me personally appeared Alexander Hadden, to me known, and known to me to be the individual described in and who executed the foregoing instrument, and duly acknowledged to me that he executed the same.

WILLIAM H. BARTLETT, Notary Public, New York County, No. 28.
State of New York, City and County of New York, ss.:

On this eighth day of May, in the year 1897, before me personally appeared Edward T. Platt, attorney-in-fact of the Fidelity and Deposit Company of Maryland, with whom I am personally acquainted, who, being by me duly sworn, said: That he resides in the City of New York; that he is the attorney-in-fact of the Fidelity and Deposit Company of Maryland; that he knows the corporate seal of said company; that the seal affixed to the within instrument is such corporate seal; that it was affixed thereto by order of the Board of Directors of said company, and that he signed said instrument as attorney-in-fact of said company by like authority; and that the liabilities of said company do not exceed its assets, as ascertained in the manner provided in section 3 of chapter 720 of the Session Laws of the State of New York for the year 1893; and that, to the best of his knowledge and belief, the financial condition of said company is as favorable now as it was when its last annual statement was made. And the said Edward T. Platt further said that he is acquainted with John W. Wooten, and knows him to be the attorney of the said company; that the signature of the said John W. Wooten, subscribed to the said instrument, is in the genuine handwriting of the said John W. Wooten, and was thereto subscribed by the like order of the Board of Directors, and in the presence of him, the said Edward T. Platt.

J. WHITMORE BARRY, Notary Public, New York County.

At a special meeting of the Board of Directors of the Fidelity and Deposit Company of Maryland, held at the office of the Company, in the City of Baltimore, State of Maryland, on the seventeenth day of July, A. D. 1896, at which was present a quorum of said Directors, duly authorized to act in the premises, on motion, it was unanimously

"Resolved, That in pursuance of section eight hundred and eleven of the Code of Civil Procedure of the State of New York, Henry B. Platt, managing director, or John W. Wooten, attorney, or Frank H. Platt, Theodore F. Wood, Edward T. Platt and Theodore F. Swayze, attorneys-in-fact of this company in the State of New York, be, and each of them is hereby authorized and empowered to sign, execute and deliver any and all bonds or undertakings for or on behalf of this company, and to attach thereto the seal of the corporation, the same to be attested by the said John W. Wooten, attorney of the company, or by either one of the other persons above named as occasion may require."

City and County of New York, ss.:

I, John W. Wooten, attorney of the Fidelity and Deposit Company of Maryland in the State of New York, have compared the foregoing resolution with the original thereof, as recorded in the minute book of said company, and do hereby certify that the same is a true and correct transcript therefrom, and of the whole of the said original resolution.

Given under my hand and the seal of the company, at the City of New York, this 8th day of May, 1897.

JOHN W. WOOTEN, Attorney.
Statement of Condition of Fidelity and Deposit Company of Maryland at the Close of Business, April 30, 1897.

Par Value.	Real Estate (Fidelity Building)	Market Value.
\$1,000,000	Baltimore City Stock, 3 1/2 per cent., 1928-1930-1940-1945	\$596,726 60
501,800	Baltimore City Stock, 6 per cent., 1900	529,116 00
48,000	State of Maryland Insane Asylum Bonds, 3 1/2 per cent. Loan	51,120 00
100,000	State of Georgia, 4 1/2 per cent. Bonds, 1911-1912-1916	103,000 00
125,000	State of Tennessee, 3 per cent. Bonds	140,468 75
30,000	City of Buffalo, N. Y., 3 1/2 per cent. Bonds	26,400 00
50,000	City of Westminster, Md., 4 1/2 per cent. Bonds	51,750 00
25,000	City of Frederick, Md., 4 per cent. Bonds	25,000 00
27,500	City of Petersburg, Va., 5 per cent. Bonds	28,180 00
25,000	City of Richmond, Va., 4 per cent. Bonds	26,750 00
25,000	Lucas County, Ohio, Court-house, 4 per cent. Bonds	25,000 00
30,000	Baltimore Traction Co. Bonds (N. B. Division), 1st 5's	30,000 00
100,000		110,080 00

Par Value.		Market Value.
48,000.	City and Suburban Ry. Co. of Baltimore Bonds, 1st 5's.....	\$52,800 00
35,000.	Lake Roland Elev. 1st 5 per cent. Bonds, guar'd by C. & S. Ry. Co....	37,756 25
41,000.	Virginia Midland R. R. Co., 6 per cent. Bonds.....	47,240 00
50,000.	Wilmington & Weldon R. R. Co., 5 per cent. Bonds.....	59,125 00
25,000.	Charlotte, Columbia & Augusta R. R. Co. Bonds.....	26,500 00
10,000.	Petersburg R. R. Co., Class "B," 6 per cent. Bonds.....	11,300 00
11,000.	Georgia Pacific R. R. Co., 6 per cent. Bonds.....	12,100 00
30,000.	Raleigh & Gaston R. R. Co., 5 per cent. Bonds.....	30,000 00
50,000.	Consolidated Gas Co. of Baltimore, 5 per cent. Bonds.....	52,750 00
14,000.	Chesapeake Gas Co. of Baltimore, 6 per cent. Bonds.....	14,700 00
.....	Agents Debit Balances, less commissions.....	104,800 35
.....	Premiums in course of collection (Home Office).....	6,638 99
.....	Cash in Office and Banks.....	101,997 18

\$2,301,299 12

LIABILITIES.

Capital stock (paid in).....	\$1,000,000 00
Surplus.....	750,000 00
Premium reserve requirement.....	366,627 55
Claims adjusted (check out).....	679 38
Claims in process of adjustment.....	2,443 34
Claims reported but proof not filed, etc.....	27,940 82
Undivided profits.....	153,608 03

\$2,301,299 12

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

John W. Wooten, being duly sworn, says that he is the attorney of the Fidelity and Deposit Company of Maryland; that the foregoing is a true and correct statement of the financial condition of said company, as of April 30, 1897, to the best of his knowledge and belief, and that the financial condition of said company is as favorable now as it was when such statement was made.

JOHN W. WOOTEN.

Subscribed and sworn to before me, this 8th day of May, 1897.

J. WHITMORE BARRY, Notary Public, New York County.

Which were referred to the Committee on Law Department.

The President laid before the Board the following summons and complaint in the case of Alexander Hadden vs. The Board of Aldermen:

SUPREME COURT.

Trial desired in the County of New York.

Alexander Hadden, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, The Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, The Sixth Avenue Railroad Company, The Metropolitan Street Railway Company, and The Mayor, Aldermen and Commonalty of the City of New York, defendants—Summons—Lenox Avenue Railroad.

To the above-named defendants, and each of them:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer on the plaintiff's attorney within twenty days after the service of this summons, exclusive of the day of service; and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated April 8, 1897.

GEORGE HILL, Plaintiff's Attorney, post-office address and office, No. 206 Broadway, New York City.

SUPREME COURT.

Trial desired in the County of New York.

Alexander Hadden, plaintiff, against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, The Common Council of the City of New York, as Trustees of the property, funds and effects of the City of New York, The Sixth Avenue Railroad Company, The Metropolitan Street Railway Company, and The Mayor, Aldermen and Commonalty of the City of New York, Defendants.—Complaint.—Lenox Avenue Railroad.

Plaintiff complains of the defendants, and alleges as follows:

I.—That the plaintiff is, and at all the times hereinafter mentioned, was a citizen and resident of the city of New York, and his assessment for taxes in said city amounts to one thousand dollars (\$1,000), and he is liable to pay taxes on such assessment in said city, and he has been assessed and paid taxes upon an assessment of the above-named amount within one year previous to the commencement of this action, and he brings this action under the provisions contained in and pursuant to the authority conferred by chapter 301 of the Laws of 1892, and the provisions of section 1925 of the Code of Civil Procedure, as amended by chapter 524 of the Laws of 1892, and pursuant to the provisions of section 101 of chapter 410 of the Laws of 1882, known as the Consolidation Act of the City of New York.

Plaintiff further alleges, upon information and belief, as follows:

II.—That the defendant, the Sixth Avenue Railroad Company, was incorporated under the General Railroad Law, being chapter 140 of the Laws of 1850, and filed its articles of association in the office of the Secretary of State on the 29th day of December, 1851, and claims to be a domestic corporation.

III.—That the defendant, the Metropolitan Street Railway Company, is a domestic corporation formed by the consolidation of several domestic railroad corporations, including the former Houston, West Street and Pavia Ferry Railroad Company, which at the time of the consolidation, was the lessee of the Sixth Avenue Railroad Company, and to which rights as lessee, the said Metropolitan Street Railway Company succeeded on consolidation.

IV.—That the defendants, The Mayor, Aldermen and Commonalty of the City of New York, were and are a municipal corporation, charged with the duties imposed, and exercising the powers conferred upon them by the charter of said city, and the various statutes of the State in addition thereto and amendatory thereof.

V.—That the Common Council of the City of New York and the several members thereof are trustees of the property, funds and effects of the city of New York, and among such property and effects of which said Common Council and the several members thereof are trustees, and which is committed to their management and control are the public streets, avenues and highways of the city of New York, including Lenox avenue, formerly Sixth avenue, between One Hundred and Tenth street and the Harlem river.

VI.—That the individual defendants are and each of them is an Alderman of the City of New York, and a member of the Common Council thereof.

VII.—That on or about the fourth day of June, 1851, the Common Council of the City of New York adopted a resolution, which was approved by The Mayor, granting to James S. Libby and other persons therein named the authority and consent of the Common Council to lay and construct a railroad upon the streets and avenues mentioned in the resolution and agreement, a copy of which agreement, which contains a copy of said resolution, is hereto annexed and made a part of this complaint.

VIII.—That subsequently and on or about the sixth day of September, 1851, the grantees in said resolution and agreement named, made, executed and delivered to the Mayor, Aldermen and Commonalty of the City of New York, the said agreement.

IX.—That subsequent to the passage of said resolution and the execution and delivery of said agreement, the grantees Libby and others formed a corporation, under and pursuant to the provisions of the General Railroad Act of 1850, under the name of the Sixth Avenue Railroad Company, and filed its articles of association in the office of the Secretary of State on the 29th day of December, 1851. The route designated in said articles of association is as follows:

"That said road is to be constructed from Chambers street in said city of New York, and such other points in said city as shall be determined by the Common Council thereof, and extend to the Harlem river, and is to be constructed, maintained and operated to the said Harlem river."

X.—That upon the incorporation of the said Sixth Avenue Railroad Company it became the owner by purchase and assignments of the rights granted by the said resolution of 1851 and the said agreement, which said resolution and said agreement were ratified and confirmed by chapter 140 of the Laws of 1854.

XI.—That the said resolution of 1851 and the agreement and the said provisions of the General Railroad Act of 1850, and the acts of the Legislature in addition thereto and amendatory thereof, and chapter 140 of the Laws of 1854, constitute the charter of the said Sixth Avenue Railroad Company, and as such the provisions thereof define and limit the rights and powers, and measure the duties and obligations, of said Sixth Avenue Railroad Company, and the said Metropolitan Street Railway Company, as lessee thereof, in respect of the operation and maintenance of the railroad of said Sixth Avenue Railroad Company.

XII.—That on the 30th day of June, 1853, upon the application of the local authorities of the

city of New York, the Legislature passed a law authorizing the acquiring of lands for the purpose of constructing a new reservoir, under the authority of the Common Council, between Eighty-sixth and Ninety-sixth streets and Fifth and Eighth avenues, which land was so acquired and taken for purposes mentioned under said law, and the report of the Commissioners thereon was confirmed April 14, 1856, and also on the 21st day of July, 1853, at the instance of the Mayor, Aldermen and Commonalty of the City of New York, the Legislature, by chapter 616 of the Laws of 1853, authorized the taking and acquiring of lands, tenements, hereditaments, etc., of that portion of the city of New York lying between the Fifth and Eighth avenues, in the city of New York, and Fifty-ninth and One Hundred and Sixth streets, for the purposes of a public park or square.

That proceedings were duly taken under said law for the acquiring of title to said property, and the report of the Commissioners in reference thereto was confirmed February 5, 1856; and by chapter 771 of the Laws of 1857 the said lands so acquired were formally established as the Central Park.

That afterwards, by chapter 101 of the Laws of 1859, the lands between Fifth and Eighth avenues and One Hundred and Sixth and One Hundred and Tenth streets were added to the Central Park.

That by these several acts and the proceedings thereunder, the Sixth avenue, from Fifty-ninth street to One Hundred and Tenth street, was erased from the map of the city as an avenue thereon, and closed as a public avenue or thoroughfare.

That the said Sixth Avenue Railroad Company duly acquiesced in and acceded to the passage of these said acts and the proceedings thereunder, and continued for nearly thirty-five years to operate its railroad south of Fifty-ninth street as a continuous and complete railroad.

That by the taking of the lands aforesaid, and thereby closing up Sixth avenue as a public thoroughfare or avenue of the city, the license or permission, if any theretofore granted for the construction of a street surface railroad on said Sixth avenue was revoked as to the part north of Fifty-ninth street, and such license or permission, so far as related to Sixth avenue north of said street, became inoperative and void, and any power claimed to exist in the Common Council to extend or construct a railroad on Sixth avenue above Fifty-ninth street then and there ceased and determined.

XIII.—That the Common Council of the City of New York, on the 24th day of April, 1894, adopted the following resolution, to wit:

"Resolved, That the Sixth Avenue Railroad Company be, and it hereby is, required, as soon as practicable, to construct and operate its railroad from One Hundred and Tenth street and Lenox avenue (formerly Sixth avenue); thence upon said Lenox, or Sixth avenue, to the Harlem river."

Which said resolution was approved by the Mayor on the 27th day of April, 1894.

XIV.—That Lenox avenue in said resolution mentioned is one of the avenues of the city of New York, and the fee thereof is vested in the defendant, the Mayor, Aldermen and Commonalty of the City of New York, in trust, that the same shall be kept open and used as a public highway, and the control and management thereof for the use and purposes of street surface railroad is vested in the defendant the Common Council of the City of New York and the members thereof, as trustees.

XV.—That solely under the authority of the said resolution of April, 1894, and not otherwise, the defendants, the Sixth Avenue Railroad Company and the Metropolitan Street Railway Company, as lessee as aforesaid, or one of them, entered in and upon Lenox avenue, formerly Sixth avenue, between One Hundred and Tenth street and the Harlem river, and constructed thereon a railroad to be operated by an underground current of electricity under the system known as the slotted conduit system and that said Sixth Avenue Railroad Company and the Metropolitan Street Railway Company, or one of them, operate said railroad thereon except between One Hundred and Tenth street and One Hundred and Sixteenth street.

XVI.—That prior to 1894 the railroad of the Sixth Avenue Railroad Company only extended from the intersection of Fifty-ninth street and Sixth avenue, south, through the various streets mentioned in the agreement hereto annexed and in its charter, and was then and now is operated by horse power.

XVII.—That at the date of the passage of the resolution of 1894, and of the construction of the railroad on Lenox avenue, no portion of Lenox avenue was, nor is it now, connected with any portion of the route of the railroad operated by said Sixth Avenue Railroad Company.

XVIII.—The defendant the Sixth Avenue Railroad Company has never made or filed any statement or certificate of its intention to extend its line or construct any branch or extension thereof in said Lenox avenue or any portion thereof.

XIX.—The said defendant the Sixth Avenue Railroad Company did not obtain the consent of the owners of one-half in value of the property bounded on the portion of Lenox avenue upon which its railroad is constructed and operated, as required by section 91 of the Railroad Law and the Constitution of this State.

XX.—That the resolution of April 24, 1894, was passed and adopted, without any application being made therefor in writing and without the publication of any notice thereof or of the time and place when the Common Council would first consider the same, as required by section 92 of the Railroad Law, nor does said resolution contain the expressed condition that the provisions of Article 4 of the General Railroad Law pertaining thereto shall be complied with as required by said section.

XXI.—That the City of New York, in which said Lenox avenue is situated is a city containing more than twelve hundred and fifty thousand inhabitants as shown by the last Federal census and State enumeration.

XXII.—That the consent to the construction of a railroad on Lenox avenue as contained in and granted by said resolution of April 24, 1894, does not contain any or either of the conditions required by section 93 of the Railroad Law, nor was the right, franchise and privilege of using said Lenox avenue for the construction and operation of a railroad thereon sold at public auction as required by said section of said Railroad Law.

XXIII.—The plaintiff further shows that the plan of construction adopted in the construction of said railroad upon Lenox avenue is as follows: A conduit is constructed about two feet deep and sixteen inches wide, at the widest part; every five feet there is an iron frame or yoke supporting the concrete and the rails for the surface of the pavement, and this frame is in turn supported by a foundation of concrete of sufficient thickness; the pavement rests upon a solid bed of concrete and iron frames which surround the conduit; every 250 feet or thereabouts there are pits which are about five feet deep from the centre of the street and of the width of the two tracks; the conduits under the two tracks are connected together by these pits having manhole entrances between the tracks and on one side outside of the rails also; the pits are built of brick or cement and stone and rest on concrete foundations; the pits are drained by a connection with the main sewers of the city, the drainage pipes being covered with cast-iron grating. Inside of the conduit are two conductor bars, which are suspended from the upper portion of the conduit by means of hangers. The current is taken from one bar and returned by the other bar, so completing the circuit. The station from which the electric current is furnished is situated at One Hundred and Forty-sixth street and Lenox avenue, and the current is there generated by means of direct coupled generators. The current is conveyed from the power-house to the various parts of the road by means of copper feeders of various diameters, which are laid in the conduit between the two tracks. The work of constructing the said railroad involved an excavation in the avenue above mentioned some fifteen feet in width and some five feet in depth, and upon the completion of said work, the said Metropolitan Street Railway Company and the said Sixth Avenue Railroad Company claim to have acquired and possessed a permanent and continuing easement in the said avenue not before possessed or enjoyed by either and the exclusive use and occupation of the sub-surface of said avenue of the space occupied by said conduit, pits and concrete, thereby imposing upon said avenue, a new use and burden never contemplated or authorized by any grant or right heretofore conferred upon said Metropolitan Street Railway Company or Sixth Avenue Railroad Company, or either of them, by any action, grant or consent of the Mayor, Aldermen and Commonalty of the City of New York, its Common Council or Board of Aldermen, or any other authority whatsoever.

XXIV.—That the construction of said conduit and said railroad and the excavations in said avenue and the maintenance and operation of said railroad obstructed and still obstructs said avenue and hinder and delay passage thereon and greatly inconvenience the public.

XXV.—That the said easements in said avenue, and the continued and exclusive occupation in perpetuity of the sub-surface of said avenue is of great value; that for a similar privilege for a cable railroad on Broadway south of Fifteenth street an annual income of one hundred and fifty thousand dollars a year was guaranteed to the City of New York.

XXVI.—That the maintenance and operation of said railway on said avenue is of great value and had the same been sold and disposed of at public auction as required by law, the City of New York would have realized in addition to three and five per cent. on the gross receipts as provided by law, a bonus of many thousands of dollars.

XXVII.—Plaintiff further shows, that neither the Mayor, Aldermen and Commonalty of the City of New York, nor the Board of Aldermen or Common Council thereof, have consented to or authorized either the Metropolitan Street Railway Company or the Sixth Avenue Railroad Company to enter upon said avenue or any portion thereof for the purpose of constructing said conduit or excavating for such purpose said avenue or any portion thereof.

XXVIII.—The plaintiff further shows that the Board of Electrical Control is a Board organized and existing under and invested with the powers and duties and jurisdiction over the streets, avenues and highways of the City of New York by laws of this State, as follows:

Chapter 534 of the Laws of 1884, chapter 499 of the Laws of 1885, chapter 716 of the Laws of 1887, chapter 550 of the Laws of 1890, chapter 383 of the Laws of 1891, chapter 263 of the Laws of 1892, chapter 396 of the Laws of 1893, chapter 207 of the Laws of 1894.

XXIX.—Plaintiff further shows that neither the Metropolitan Street Railway Company nor the Sixth Avenue Railroad Company has ever filed with the Board of Electrical Control of the City of New York any map or maps made to a scale showing said avenue as an avenue in which they desired to operate electrical conductors underground, giving the general location, dimensions and course of the underground conduit desired to be constructed by them, nor has the conduit con-

structed by the said Metropolitan Street Railway Company and the said Sixth Avenue Railroad Company, for the purpose of operating said railroad by electricity or the plan upon which the said conduit was constructed, ever been approved by the said Board of Electrical Control of said city, nor has the said Board of Electrical Control ever consented to the construction or use of electrical conductors by the Metropolitan Street Railway Company and the Sixth Avenue Railroad Company in said avenue, or any portion thereof, as a means of supplying motive power to its cars; nor has said Board of Electrical Control, or its predecessor, ever granted or issued to the said Metropolitan Street Railway Company and the Sixth Avenue Railroad Company, or to either of them, a permit in writing or granted any permission to them or either of them to take up the pavement of the said avenue, or any portion thereof, or to excavate said avenue, or any portion thereof, for the purpose of laying under ground the electrical conductors, conduits and appliances with which said Metropolitan Street Railway Company and said Sixth Avenue Railroad Company operate said railroad by electricity.

XXX.—That the said Sixth Avenue Railroad Company and the Metropolitan Street Railway Company, and each of them, are entirely without authority to construct, maintain or operate said railroad upon Lenox avenue, or any portion thereof, and are trespassers upon said street and usurpers of the franchises now possessed, exercised and enjoyed by them thereon, to the great waste, damage and injury of the property, funds and effects of the City of New York.

XXXI.—That the Sixth Avenue Railroad Company did not finish its road and put it in operation in ten years from the time of filing its articles of association; nor did it finish its road and put in operation in ten years after Lenox avenue was regulated and graded; nor did it finish its road and put it in operation within the time required by law.

XXXII.—That the rights, privileges and franchises now exercised, possessed and enjoyed in the construction, operation and maintenance of said railroad upon Lenox avenue are of great value, and had the same been sold and disposed of at public auction under the forms and in accordance with the provisions and requirements of the Railroad Law, they would have produced an annual revenue to the City of New York of upwards of twenty-five thousand dollars a year.

XXXIII.—That the action of the Common Council in the passage of said resolution of April 24, 1894, and in permitting said Metropolitan Street Railway Company and said Sixth Avenue Railroad Company to possess and enjoy the new, continuing and exclusive easements in said avenue, constitutes a waste and injury to the property, funds and effects of the City of New York in that said Metropolitan Street Railway Company and the Sixth Avenue Railroad Company possess, exercise and enjoy the rights, easements and exclusive privileges aforesaid, without making any compensation therefor to said city, although such rights, easements and exclusive privileges are of great pecuniary value and should only be granted and permitted to be exercised and enjoyed upon the payment of an annual revenue to the city of many thousands of dollars.

Wherefore plaintiff prays judgment:

I.—That it be adjudged and decreed that the defendant, the Common Council and the several members thereof are trustees of the property, funds and effects of said city, so far as such property, funds and effects are or may be committed to their management or control.

II.—That it be adjudged that the resolution of April 24, 1894, is void, and that the same be vacated and set aside.

III.—That it be adjudged that the defendant, the Common Council and the several members thereof, are trustees of Lenox avenue, with respect to its use, for the purpose of maintaining and operating a railroad thereon, and that it is their duty as such trustees to take immediate action and proceeding to exclude the defendants, the Metropolitan Street Railway Company and the Sixth Avenue Railroad Company, and each of them, from said avenue, and to cause the right, franchise and privilege of using said avenue for the purpose of a railroad to be sold at public auction to the bidder who will agree to give the city the largest percentage per annum of the gross receipts, as provided in and by section 93 of the Railroad Law.

IV.—That the Metropolitan Street Railway Company and the Sixth Avenue Railroad Company, and each of them, be perpetually enjoined and restrained from maintaining and operating said railroad on Lenox avenue, or any portion thereof, and be required and compelled to remove its tracks from said avenue and restore the portion of said avenue, now occupied by their tracks, to the condition it was in before said tracks were laid thereon, and that during the pendency of this action an injunction issue against the Metropolitan Street Railway Company and the Sixth Avenue Railroad Company, their agents, servants and employees, enjoining them, and each of them, from maintaining, operating said railroad on said Lenox avenue.

V.—That the defendants, the Common Council, and the several members thereof, be adjudged forthwith to rescind said resolution of April 24th, 1894, and take all and every proceeding necessary to remove said railroad and structures from Lenox avenue, and to prevent the further trespass and usurpation of the defendants the Metropolitan Street Railway Company and the Sixth Avenue Railroad Company, and each of them, thereon.

VI.—That the plaintiff may have such other and further and different relief as may be just and proper in the premises, with the costs of this action.

GEORGE HILL, Attorney for Plaintiff, office and post-office address, No. 206 Broadway, New York City, N. Y.

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

Alexander Hadden, being duly sworn, deposes and says that he is the plaintiff above-named; that he has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge except as to the matters therein stated to be alleged on information and belief, and as to those matters he believes the same to be true.

ALEXANDER HADDEN.

Sworn to before me this 8th day of April, 1897.

BENEDICT S. WISE, Notary Public, N. Y. Co.

EXHIBIT—SIXTH AVENUE RAILROAD.

Agreement made this sixth day of September, in the year one thousand eight hundred and fifty-one, between the Mayor, Aldermen and Commonalty of the City of New York, parties of the first part, and the persons named in the resolutions hereinafter set forth, who shall duly sign and execute this agreement, and their successors, associates and assigns, duly becoming parties thereto, as hereinafter provided, of the second part.

Whereas, The said parties of the first part, in Common Council convened, did, on the fourth day of June, one thousand eight hundred and fifty-one, duly pass and adopt the following resolutions, which were afterwards, and on the thirtieth day of July, in said year, duly signed and approved by the Mayor of said city, and became operative and binding in the words and figures following:

Resolved, That the persons to whom permission is granted by the following resolutions, and those who may hereafter become associated with them, have the authority and consent of the Common Council to lay a double track for a railroad in the following streets, viz.: From a point at the intersection of Chambers street and West Broadway, thence along West Broadway to Canal street, thence along and down Canal street to Hudson street, thence along Hudson street and Eighth avenue to a point at or near Fifty-first street; and that said railroad be continued through the Eighth avenue to Harlem river, whenever required by the Common Council, and as soon and as fast as said avenue is graded, upon the following stipulations and conditions, viz.: Such track or tracks to be laid under the direction of the Street Commissioner, and on such grades as are now established, or may hereafter be established, by the Common Council, the said parties to become bound in a sufficient penalty to keep in good repair the space between the track and the space outside the same, on either side, of at least eight feet in width, of each street in which the rails are laid; and also, that no motive power, excepting horses, be used below Fifty-first street; and upon the further condition that said parties shall place new cars on said railroad, with all the modern improvements, for the convenience and comfort of passengers; and that they run cars thereon, each and every day, both ways, as often as the public convenience may require, under such direction as the Street Commissioner and Common Council may from time to time prescribe.

And provided, also, that the said parties shall in all respects comply with the direction of the Street Commissioner and of the Common Council in the building of said railroad and in the running of the cars thereon, and in any other matters connected with the regulation of said railroad.

And provided, also, that the said parties shall, before this permission takes effect, enter into a good and sufficient agreement with the Mayor, Aldermen and Commonalty of the City of New York, to be drawn and approved by the Counsel to the Corporation, binding themselves to abide by and perform the stipulations and provisions herein contained, and also all such other resolutions or ordinances as may be passed by the Common Council relating to the said road;

And further, that they run a car thereon each and every day, both ways, as often as every fifteen minutes from five to six o'clock A. M.; and every four minutes from six o'clock A. M. to eight o'clock P. M., every fifteen minutes from eight o'clock P. M. to twelve o'clock P. M., and every thirty minutes from twelve o'clock P. M. to five o'clock A. M., and as much oftener as public convenience may require, under such directions as the Common Council may from time to time prescribe.

Also, that the rate of passage on said railroad shall not exceed a greater sum than five cents for the entire length of said road; and also, that the Common Council shall have the power to cause the same, or any part thereof, to be taken up at any time they may see fit; and also, that the said parties, or either of them, shall not assign their interests in the said road without first obtaining the consent of the Common Council thereto; also, that such track or tracks shall be laid upon a foundation of concrete, with a grooved rail, or such other rail as may be approved by the Street Commissioner, even with the surface of the streets through which they may pass, and shall be commenced within three months, and completed to Fifty-first street within one year, and from Fifty-first street to the Harlem river, within three years from the passage of this resolution; also, that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Fifty-first street; that the said parties are to keep an account of the receipts of each road monthly, and report the same to the Comptroller, monthly, under oath; that the said parties shall connect their road with such other road as the Common

Council may order to be connected therewith; that they shall file with the Comptroller a statement, under oath, of the cost of each mile of road completed, and agree to surrender, convey and transfer the said road to the Corporation of the City of New York, whenever required so to do, on payment by the Corporation of the cost of said road, as appears by said statements, with ten per cent. advance thereon.

That said parties, on being required at any time by the Corporation, and to such extent as the Common Council shall determine, shall take up, at their own expense, said rails, or such part thereof as shall be required; and in failure so to do in ten days after such requirements the same may be done at their expense by the Street Commissioner.

Resolved, That the persons to whom permission is granted by the following resolutions have the authority and consent of the Common Council to lay a single track in the following streets: Commencing at the corner of Chambers street and West Broadway, through Chambers street to Church street, through Church street to Canal street, and through Canal street to Wooster street, through Wooster street to Fourth street, to Thompson street, with a single track; thence with a double track through Fourth street and Sixth avenue to Harlem; also to lay a single track in Thompson street, from Fourth street to Canal street and to connect with the Eighth Avenue Railroad, and extend the same up Sixth avenue to Harlem river whenever required by the Common Council, and as soon and as fast as said avenue is graded sufficiently to permit such track to be laid, upon the same terms, stipulations and conditions as are provided in the annexed resolutions in relation to the railroad upon the Eighth avenue, except that no motive power except horses shall be used below Forty-second street; that said railroad upon the Sixth avenue shall be commenced within three months, and completed to Forty-second street within one year, and from Forty-second street to the Harlem river within three years from the passage of this resolution; also that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Thirty-second street; and that such parts of the Eighth Avenue Road as may be used by the Sixth Avenue Road, from the connection in Canal street and West Broadway to Chambers street, shall be built at the joint expense of the said Sixth and Eighth Avenue Roads.

Resolved, That each of said passenger cars to be used on said roads shall be annually licensed by the Mayor; and there shall be paid annually for each license such sum as the Common Council shall hereafter determine.

Resolved, That the permission granted to lay or build a railroad in the following streets, viz.: Commencing at a point at the intersection of West Broadway and Chambers street, thence through Chambers street to Church street, through Church street to Canal street, through Canal street to Wooster street, through Wooster street to Fourth street, with a single track; thence through Fourth street to Sixth avenue, and through Sixth avenue to Harlem, with a double track; also to lay a single track in Thompson street, from Fourth street to Canal street, to connect with the Eighth Avenue Railroad, be given to James S. Libby, George R. Howell, William Flagg, William H. Adams, John Post, Junior, Edmund Morris, Matthew D. Green, John Ridley, William Ebbitt, Ward Bolster & Jacobs, Finch, Sanderson & Beers; and

Whereas, Said parties of the first part, on the said fourth day of June, one thousand eight hundred and fifty-one, in Common Council convened, did duly pass and adopt certain other resolutions, which were likewise duly signed and approved by the said Mayor on the said thirtieth day of July, one thousand eight hundred and fifty-one, and became operative and binding, providing for the laying or building of another railroad, designated as the Eighth Avenue Railroad, provided for in said resolutions hereinbefore set forth, designated as the Eighth Avenue Railroad; and further providing and directing that such parts of the Eighth Avenue Railroad as may be used by the Sixth Avenue Road, from the connection in Canal street and West Broadway to Chambers street, should be built at the joint expense of said Sixth and Eighth Avenue Roads; and

Whereas, It is deemed necessary by the said parties of the first part, in order to preserve and duly effectuate the grants, objects, stipulations and intentions of the said resolutions, and for the purpose of more specifically determining the interest of the said parties in the rights and privileges granted by said resolutions, that provision should be made for an organization or association between the said parties of the second part, their successors, associates and assigns, duly admitted according to this agreement, defining the mode in which the necessary capital for building the said railroad shall be contributed and the manner in which the construction and management of the said railroad shall be conducted and controlled;

Now, It is hereby mutually declared that the separate and individual interest of any or either of the said parties of the second part, their successors, associates and assigns in the said grant, and all licenses, rights, privileges and powers conferred or provided for in the said resolutions shall be conditioned and dependent upon the strict observance, performance and fulfillment by such person of the terms of said resolutions and of this agreement; and that in case of failure to perform the same, and every part thereof, said grant shall be inoperative as to such person so failing and his interest therein shall cease and determine, said grant remaining operative in every respect as to all other of said parties, their successors, associates and assigns; and it is hereby covenanted, agreed and declared by and between the parties aforesaid, as follows, viz.:

First—The said parties of the second part, for themselves and their successors, associates and assigns, do hereby covenant and agree with the said parties of the first part, and with each other, that they will well and truly observe, perform, fulfill and keep the said resolutions hereinbefore particularly set forth, and all and every the provisions, stipulations, restrictions and conditions therein contained and thereby imposed, according to the true intent and meaning thereof; it being understood that the rate of passage on said road shall not exceed five cents for any distance, and also that the said road shall be completed at the times and in the manner stated in said resolutions.

Second—The said parties of the second part, to the end that the provisions and intentions of the said resolutions may be fully carried into effect, the interests of the respective parties definitely ascertained, and the manner in which the construction and management of said road shall be conducted and controlled effectually defined, do further covenant and agree with the said parties of the first part, and with each other, to associate and organize themselves together in the manner and upon the terms and conditions following, viz.:

Within ten days after this agreement is duly executed the said parties of the second part, unless they, or a majority of them, shall have previously organized themselves to the same effect as herein provided, shall and will organize themselves into an association or company, to be called the Sixth Avenue Railroad Company, for the purpose of constructing, operating and managing said railroad; the first meeting of the said parties to be called by the Clerk of the Common Council, who shall, within three days after the due execution of this agreement, give, or cause to be given, a notice in writing, delivered to the persons composing the said parties of the second part, personally, or left at their residence or places of business, specifying the time and place when and where such meeting shall be held. The said parties of the second part, or as many of them as shall meet in pursuance of said notice, shall thereupon proceed, as before provided, to organize themselves into the said company, and shall have power and authority, by the votes of a majority of the parties so assembled.

1. To estimate and declare the amount of capital requisite to construct the said railroad, provide cars, motive power, stations, buildings, fixtures, and for all other expenses requisite to put the said railroad into thorough practical operation.

2. To prescribe the mode in which said capital, and all other sums that may thereafter be required for the business of said company, shall be subscribed for, and the time or times when the same shall be paid in, and the manner in which the shares and interests of the parties refusing or neglecting to subscribe or to pay may be forfeited.

3. To adopt suitable resolutions, by-laws, rules and regulations for the organization of said company, the subscription and payment of its capital, and all other sums that may thereafter be required for its construction, operation and future business, the execution of contracts, the liability of members, the term, compensation, accountability, election, removal, and duties of its officers, the disbursement of monies, the transfer or assignment of the shares of its members, and the entire management, direction and control of its affairs, business, property and officers. Such by-laws may be altered from time to time in the manner prescribed therein.

Third—The said parties of the second part shall be entitled to subscribe equally for the amount proposed as the original capital stock of said company, and if any of them neglect to subscribe, or shall subscribe less than his proportion, the others may subscribe equally for the remainder, so as to make up a subscription for the whole amount. If, for any reason, it shall be requisite to make other subscriptions, the persons who shall then be members of said company shall be entitled to subscribe for the amount so required, in proportion to the amounts of capital stock then held by them; and if any shall neglect to subscribe, or shall subscribe for less than his proportion, the others may subscribe equally for the remainder.

Fourth—Every person refusing or neglecting to subscribe to the capital stock of said company as originally declared, or to any subsequent increase thereof, or to pay his subscription or any instalment thereof, at the times prescribed at the first meeting of said company as aforesaid, or by the resolutions or by-laws of said company, all his rights, powers and privileges under said grant of the parties of the first part, and all his interest therein, shall be deemed to be freely and voluntarily waived and abandoned for the benefit of said company and its remaining members, and shall cease, determine, and be utterly null and void; and he shall no longer be a member of said company, nor have any voice in the management of its affairs, nor any title or interest in its property. But such waiver and abandonment shall not be deemed to have taken place until twenty days shall have elapsed after such person shall have had written notice of the required subscription or payment. But such person may, by a resolution duly adopted by said company, be reinstated in any or all of the rights, privileges and advantages so as aforesaid waived and lost, but upon such terms and conditions as may be thereby provided.

Fifth—Every person who shall become a member of said company shall thereby become a party to this agreement and all its conditions and stipulations; and the company may direct the mode by which future members shall become so obligated; and no person shall become a member except on condition of becoming so obligated by agreement, in writing, duly executed.

Sixth—The said railroad grant, property, rights and appurtenances shall belong to and be the property of the persons who, for the time being, shall compose the said Sixth Avenue Railroad

Company, in proportions equivalent to their shares of said capital stock; subject, however, to the management of the same in the manner herein provided.

Seventh—Any shareholder may transfer his shares or interest, after he shall have paid one-third of his original subscription, on procuring the consent of a majority in interest of the shareholders, expressed by resolution duly adopted, subject, however, to the provisions of this agreement, and on such terms and conditions as the by-laws may prescribe.

Eighth—This company shall not be dissolved by the death or insolvency of any of its members, nor by act or operation of law, but in such and the like cases shall continue, and the persons becoming lawfully entitled to the shares shall become members of the said company, and said company shall have authority to incorporate themselves under the general railroad act whenever two-thirds in interest of the shareholders shall require the same.

In witness whereof, to one part of these presents, remaining with the said parties of the first part, the said parties of the second part have affixed their hands and seals; and to the other part thereof, remaining with the said parties of the second part, the said parties of the first part have caused the common seal of the City of New York to be affixed, the day and year first above written.

WM. H. ADAMS. [L. S.] MATTHEW DAVIS GREENE. [L. S.]
JOHN POST, JR. [L. S.] JOHN RIDLEY. [L. S.]
EDMUND MORRIS. [L. S.] WM. EBBITT. [L. S.]

Sealed and delivered in presence of—the words "to Thompson street with a single track," and the words "Fourth street to" being interlined, and the words "to Fourth street," all on the fifth page, being struck out with the pen before execution; also the word "in" on eighth page being written on an erasure before execution.

H. H. ANDERSON, as to Libby, Howell, Flagg, Green, Ebbitt, and Adams and Morris.

In presence of CARLTON EDWARDS, as to John Post, Junior; and BERD. J. MALONE, as to J. Ridley.

City and County of New York, ss.:

On the ninth day of September, one thousand eight hundred and fifty-one, before me personally came James S. Libby, George R. Howell, William Flagg, William H. Adams, Matthew D. Greene and William Ebbitt, and on the fifteenth day of September, in the same year, before me personally came Edmund Morris, all of whom were known to me to be persons described in and who executed the foregoing instrument, and severally acknowledged that they executed the same; and on the nineteenth day of September, one thousand eight hundred and fifty-one, before me personally came Carlton Edwards, a subscribing witness to said instrument to me known, who being by me duly sworn, did depose and say that he resides in the City of New York; that he knew John Post, Jr., and knew him to be one of the persons described in and who executed the foregoing instrument; that he saw him sign the same, that he acknowledged in his presence that he executed the same, and that he subscribed his name as a witness thereto. And on the same day before me personally came Bernard J. Malone, one of the subscribing witnesses to said instrument, to me known, who, being by me duly sworn, did depose and say that he resides in the City of New York; that he knew John Ridley, and knew him to be one of the persons described in and who executed the foregoing instrument; that he saw him sign the same; that he acknowledged in his presence that he executed the same, and that he subscribed his name as a witness thereto.

HENRY H. ANDERSON, Commissioner of Deeds.

Know all men by these presents:

That we, Alexander Hadden, of the City, County and State of New York, as principal, and the Fidelity and Deposit Company of Maryland, of No. 35 Wall street, in said city, as surety, are held and firmly bound unto John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, and constituting the Common Council of the City of New York, The Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, The Sixth Avenue Railroad Company, The Metropolitan Street Railway Company, and The Mayor, Aldermen and Commonalty of the City of New York, defendants, in the penal sum of one thousand dollars, to be paid to the said defendants, their successors and assigns; to which payment, well and truly to be made, the said Alexander Hadden binds himself, his heirs, executors and administrators, and the said Company binds itself, its successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals. Dated this seventh day of April, one thousand eight hundred and ninety-seven.

Whereas, the above bounden Alexander Hadden, a tax payer, is about to commence an action in the Supreme Court of the State of New York, entitled "Alexander Hadden against John Jeroloman, John P. Windolph, Nicholas T. Brown, William E. Burke, Thomas M. Campbell, William Clancy, Thomas Dwyer, Christian Goetz, Elias Goodman, Frank J. Goodwin, Joseph T. Hackett, Benjamin E. Hall, Jeremiah Kennefick, Francis J. Lantry, Frederick L. Marshall, Robert Muh, John J. Murphy, Andrew A. Noonan, John T. Oakley, John J. O'Brien, Charles A. Parker, Rufus R. Randall, Andrew Robinson, Joseph Schilling, Henry L. School, William Tait, Frederick A. Ware, Charles Wines, Collin H. Woodward, Jacob C. Wund, constituting the Common Council of the City of New York, The Common Council of the City of New York as Trustees of the property, funds and effects of the City of New York, The Sixth Avenue Railroad Company, The Metropolitan Street Railway Company, and The Mayor, Aldermen and Commonalty of the City of New York," to prevent certain illegal official acts, and to prevent waste and injury to the property, funds and estate of the said City of New York, and for the purpose of perpetually enjoining and restraining the defendants, The Metropolitan Street Railway Company and The Sixth Avenue Railroad Company, from operating and maintaining a railroad on Lenox avenue, and be required to remove its tracks and restore the street to its former condition; and

Whereas, an injunction pending such action is desired;

Now, therefore, the condition of the above obligation is such, that if the above bounden Alexander Hadden shall pay all costs that may be awarded the defendants other than the railroad companies in said action, if the Court shall finally determine the same, in favor of the defendants other than the railroad companies, and if the above bounden Alexander Hadden shall pay all damages arising from any injunction pending such action that be obtained against the said defendants, other than the railroad companies to whatsoever party that be entitled to such damages by reason of the said injunction, then this obligation to be void; otherwise, to remain in full force and effect.

ALEXANDER HADDEN. [SEAL.]

FIDELITY AND DEPOSIT COMPANY OF MARYLAND, HENRY B. PLATT, Managing Director.

Attest: JOHN W. WOOTEN, Attorney.

City and County of New York, ss.:

On this 8th day of April, 1897, before me personally appeared Alexander Hadden, to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and duly acknowledged to me that he executed the same.

BENEDICT S. WISE, Notary Public, New York County.

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

On this eighth day of April, in the year 1897, before me personally appeared Henry B. Platt, Managing Director of the Fidelity and Deposit Company of Maryland, with whom I am personally acquainted, who, being by me duly sworn, said: That he resides in the City of New York; that he is the Managing Director of the Fidelity and Deposit Company of Maryland; that he knows the corporate seal of said company; that the seal affixed to the within instrument is such corporate seal; that it was affixed thereto by order of the Board of Directors of said Company, and that he signed said instrument as Managing Director of said company by like authority; and that the liabilities of said company do not exceed its assets as ascertained in the manner provided in section 3 of chapter 720 of the Session Laws of the State of New York for the year 1893; and that, to the best of his knowledge and belief, the financial condition of said company is as favorable now as it was when its last annual statement was made. And the said Henry B. Platt further said that he is acquainted with John W. Wooten, and knows him to be the attorney of the said company; that the signature of the said John W. Wooten subscribed to the said instrument is in the genuine handwriting of the said John W. Wooten, and was thereto subscribed by the like order of the Board of Directors, and in the presence of him, the said Henry B. Platt.

J. WHITMORE BARRY, Notary Public, New York County.

At a special meeting of the Board of Directors of the Fidelity and Deposit Company of Maryland, held at the office of the Company in the City of Baltimore, State of Maryland, on the seventeenth day of July, A. D. 1896, at which was present a quorum of said Directors, duly authorized to act in the premises, on motion, it was unanimously

"Resolved, That in pursuance of section eight hundred and eleven of the Code of Civil Procedure of the State of New York, Henry B. Platt, Managing Director, or John W. Wooten, Attorney, or Frank H. Platt, Theodore F. Wood, Edward T. Platt and Theodore F. Swayze, Attorneys-in-Fact of this Company in the State of New York, be, and each of them is, hereby authorized and empowered to sign, execute and deliver any and all bonds or undertakings for or on behalf of this Company, and to attach thereto the seal of the Corporation, the same to be attested by the said John W. Wooten, Attorney of the Company, or by either one of the other persons above named as occasion may require."

City and County of New York, ss.:

I, John W. Wooten, attorney of the Fidelity and Deposit Company of Maryland in the State of New York, have compared the foregoing Resolution with the original thereof, as recorded in the Minute Book of said Company, and do hereby certify that the same is a true and correct transcript therefrom, and of the whole of the said original Resolution.

Given under my hand and the Seal of the Company, at the City of New York, this 8th day of April, 1897.

JOHN W. WOOTEN, Attorney.

Statement of Condition of Fidelity and Deposit Company of Maryland, at the Close of Business December 31, 1896.

RESOURCES.

Real Estate (Fidelity Building).....	\$588,050 57
Baltimore City Stock, $\frac{3}{4}$ per cent., 1945.....	147,018 00
" " " " 1940.....	273,000 00
" " " " 1930.....	38,351 50
" " " " 1928.....	70,746 50
State of Maryland Insane Asylum Loan.....	103,000 00
Baltimore Traction (N. B. Division) 5 per cent. Bonds.....	51,840 00
City and Suburban Railway Company of Baltimore, 5 per cent. Bonds.....	44,000 00
City of Westminster, Md., $\frac{4}{5}$ per cent. Bonds.....	25,000 00
City of Frederick, Md., 4 per cent. Bonds.....	21,420 00
City of Petersburg, Va., 5 per cent. Bonds.....	26,750 00
City of Richmond, Va., 4 per cent. Bonds.....	25,000 00
State of Tennessee, 3 per cent. Bonds.....	26,400 00
Lucas County, Ohio, Court House, 4 per cent. Bonds.....	30,000 00
Virginia Midland Railroad, 1st.....	12,320 00
" " " " 2d.....	8,060 00
Agents debit balances, less commissions.....	59,008 28
Premiums in course of collection (Home Office).....	6,595 62
Cash in Office and Bank.....	149,365 49

\$1,706,825 96

LIABILITIES.

Capital Stock (Paid in).....	\$750,000 00
Surplus.....	500,000 00
Premium Reserve Requirement.....	342,086 16
Claims adjusted—(check out).....	2,055 08
Claims in Process of Adjustment.....	2,787 38
Claims reported but proof not filed, etc.....	13,770 37
Undivided Profits.....	96,126 97

\$1,706,825 96

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

John W. Wooten, being duly sworn, says that he is the attorney of the Fidelity and Deposit Company of Maryland; that the foregoing is a true and correct statement of the financial condition of said Company, as of December 31, 1896, to the best of his knowledge and belief, and that the financial condition of said Company is as favorable now as it was when such statement was made.

Subscribed and sworn to before me, this 8th day of April, 1897.

J. WHITMORE BARRY, Notary Public, New York County.

Which was referred to the Committee on Law Department.

DEPARTMENT OF PUBLIC CHARITIES.

EXTRACTS FROM THE OFFICIAL PROCEEDINGS OF THE BOARD OF PUBLIC CHARITIES FOR WEEK ENDING MAY 8, 1897.

Central Office—Proposal of the Tucker File Company to furnish a cabinet for General Book-keeper's office, to cost \$25, and the proposal of Charles Barry for repairs to Brewster phaeton, to cost \$50.75. Accepted.

Steamboats—Proposal of A. Philp's Sons to put in a new Tobin bronze rod in air and circulating pump and putting pump in good working order in steamer "Fidelity," for \$127. Accepted.

Bellevue Hospital—Proposal of P. J. Bresnan & Son to furnish and erect, complete, 5 dumb-waiters, to cost \$450. Accepted.

Male Training School—Proposal of M. Halliday for repairs to and painting roof of school, putting in new tin where necessary, repairing and painting skylights, etc., to cost \$174. Accepted.

Gouverneur Hospital—Proposal of James Murtaugh to repair ropes in drums of elevator, to cost \$6. Accepted.

Fordham Hospital—Minutes of meeting of Medical Board, held April 30. Approved.

Randall's Island—Proposal of L. D. Putnam to erect two tents, one on Randall's Island and one on Blackwell's Island, for \$25; accepted. Minutes of meeting of Medical Board, held May 4; approved.

From Heads of Institutions—Monthly reports on file.

Appointments, etc.

Out-door Poor—May 1—Katherine F. Hall, Examiner, Department of Children, salary, \$1,500.

Steamboats—May 1—Thomas Givnan (inmate), Fireman, salary, \$180.

Bellevue Hospital—May 1—Rachel Fayette, Nurse, transferred from Almshouse, salary, \$240.

Fordham Hospital—May 3—Fred'k J. Kenney, Apothecary (temporary), salary, \$460. May 8—Thomas Kelly, Ambulance Driver, transferred from Metropolitan Hospital.

Metropolitan Hospital—May 1—Charles H. Lenk, Druggist (temporary), salary, \$480.

Randall's Island Asylum and School—May 7—Marion Sullivan, Seamstress, salary increased from \$144 to \$192. May 6—Bernard Hart, Fireman, salary, \$360.

Resignations.

Out-door Poor—April 30—Katherine F. Hall, Visitor. May 15—James M. Brooks, Office Boy. May 15—Charles Goldwater, Office Boy.

Steamboats—May 1—Michael Burns, Fireman.

City Hospital—May 6—John Stranz, Fireman.

Randall's Island Asylum and School—May 7—Daniel Cronin, Fireman.

Randall's Island Infants' Hospital—May 5—Gertrude H. Lauman, Nurse; Hannah Anderson, Nurse.

Dismissals.

Fordham Hospital—May 5—John Gunn, Ambulance Driver, intoxication.

H. G. WEAVER, Secretary.

DEPARTMENT OF PUBLIC PARKS.

SPECIAL MEETING, March 29, 1897—1.30 P. M., No. 187 FULTON STREET.

Pursuant to the following:

MARCH 27, 1897. WILLIAM LEARY, Esq., Secretary, Department of Public Parks, Arsenal, Central Park, New York City:

SIR—You will please issue notices for a meeting of the Board to be held Monday, the 29th inst., at 1.30 P. M., at No. 187 Fulton street, for the purpose of transacting such business as may be presented. Respectfully, S. V. R. CRUGER, Vice-President.

Present—Commissioners Cruger, Stiles, Ely.

In the absence of the President the Vice-President took the Chair.

Commissioner Stiles presented specifications for a refrigerating plant at the Aquarium. On motion, said specifications were approved, a form of contract was ordered prepared and sent to the Corporation Counsel for approval, and an advertisement was ordered inserted in the CITY RECORD inviting proposals for doing the work, by the following vote:

Ayes—Commissioners Cruger, Stiles, Ely—3.

Commissioner Cruger offered the following:

Resolved, That the bill of the London Assurance Company, amounting to one hundred and twenty-seven dollars and seventy-five cents, for premium of insurance on Central Park buildings, etc., be and the same hereby is approved, audited and ordered transmitted to the Finance Department for payment, chargeable against appropriations for the year 1896, as follows:

"Labor, Maintenance, Supplies, etc.," \$69.02; "Zoological Department," \$37.20; "Police Supplies," \$21.53—\$127.75.

Which was adopted by the following vote:

Ayes—Commissioners Cruger, Stiles, Ely—3.

Resolved, That the bill of the Commercial Union Assurance Company, Limited, of London, amounting to one hundred and thirty-six dollars and ninety-six cents, for premium of insurance on the Aquarium Building, Battery Park, be and the same hereby is approved, audited and ordered transmitted to the Finance Department for payment, chargeable against the fund provided under chapter 254 of the Laws of 1893 for Castle Garden, Battery Park, equipping, furnishing, stocking, etc.

Which was adopted by the following vote:

Ayes—Commissioners Cruger, Stiles, Ely—3.

Resolved, That the bill of the Lancashire Insurance Company, amounting to one hundred and twenty-seven dollars and seventy-five cents, for premium of insurance on park buildings, be and the same hereby is approved, audited and ordered transmitted to the Finance Department for payment, chargeable against appropriations for the year 1896, as follows:

"Labor, Maintenance, Supplies, etc.," \$69.02; "Zoological Department," \$37.20; "Police Supplies, etc.," \$21.53—\$127.75.

Which was adopted by the following vote:

Ayes—Commissioners Cruger, Stiles, Ely—3.

Resolved, That the bill of the Commercial Union Assurance Company, Limited, of London, amounting to one hundred and thirty-five dollars and nine cents, for premium of insurance on park buildings, be and the same hereby is approved, audited and ordered transmitted to the Finance Department for payment, chargeable against the appropriations for the year 1896, as follows:

"Labor, Maintenance, Supplies, etc.," \$76.36; "Zoological Department," \$37.20; "Police Supplies, etc.," \$21.53—\$135.09.
Which was adopted by the following vote:
Ayes—Commissioners Cruger, Styles, Ely—3.
On motion, at 1.45 P. M., the Board adjourned. WILLIAM LEARY, Secretary.

DEPARTMENT OF BUILDINGS.

DEPARTMENT OF BUILDINGS, Tuesday, May 4, 1897.

The Board of Examiners met this day at 3.15 P. M.
Present—Stevenson Constable, Superintendent of Buildings, in the chair, and Messrs. O'Reilly, Bonner, Dobbs, Conover and Fryer.
The minutes of April 29, 1897, were read and approved.
Petitions were then submitted for approval, as follows:
Plans 78, New Buildings, 1897—Rossiter & Wright, petitioners—To allow the use of the J. W. Rapp system of fireproof floor construction for the floors and roof of building; Nos. 47 and 49 West Forty-third street and Nos. 44 and 46 West Forty-fourth street. Denied.
Violations 727, 1897—T. E. Crimmins, petitioner—To allow the present doors to remain without being made fireproof; northwest corner of Avenue A and Sixty-eighth street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
John Hartmeyer, petitioner—To allow building to remain as at present, as stated in petition; south side of Guertian place, 125 feet from Theriot avenue, Van Nest. Denied.
Plans 253A, New Buildings, 1897—Charles Baxter, petitioner—To allow the construction of present basement hallway to remain; west side of Morris avenue, 25 feet north of One Hundred and Fifty-fourth street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 412, Alterations to Buildings, 1897—Edward H. Kendall, petitioner—To allow the load on floor, as stated in petition; northwest corner of Lexington avenue and Forty-eighth street. Approved, on recommendation of Mr. O'Reilly, subject to the approval of the construction by the Superintendent of Buildings.
Plans 101, New Buildings, 1897—G. F. Pelham, petitioner—To allow the use of the J. W. Rapp system of fire-proof floor construction for the first floor; southeast corner of Seventh avenue and One Hundred and Thirty-fourth street. Approved, on condition that the under sides of beams are covered with fire-proof material, as required by law, and subject to the approval of the construction by the Superintendent of Buildings.
Plans 1256, New Buildings, 1896—Franklin Baylies, petitioner—To allow present wood lining on brick wall forming first story to remain without plastering brick wall, as stated in petition; No. 345 Greenwich street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 276, New Buildings, 1897—C. B. J. Snyder, petitioner—To allow the erection of sheds, as described in petition; east side of Avenue A, between Seventy-seventh and Seventy-eighth streets. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 269, New Buildings, 1897—C. P. H. Gilbert, petitioner—To allow the construction of bay-windows of angle-iron framing, filled in with 3-inch hollow terra cotta blocks, and covered with galvanized iron, as stated in petition; No. 402 West Twentieth street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 341, New Buildings, 1897—G. F. Pelham, petitioner—To allow the construction of partitions of 4-inch terra cotta blocks and angle-iron frame; No. 66 East Seventh street. Approved, on condition that ceilings be made of the same material, and not less than two inches thick, and subject to the approval of the construction by the Superintendent of Buildings.
Plans 16, New Buildings, 1897—Henry Neus, petitioner—To allow the fire-proof material described in petition to be used for first floor; Nos. 114 to 118 East One Hundred and second street. Denied.
Plans 1114, New Buildings, 1896—McKim, Mead and White, petitioners—To allow chases to be cut in walls, as stated in petition; north side of Fifty-fourth street, 225 feet west of Fifth avenue. For reconsideration. Reconsidered and approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 403, Alterations to Buildings, 1897—Cleverdon and Putzel, petitioners—To allow the construction of bay windows in second story extension of framed work, covered on outside with galvanized iron, and between joists with fireproof material, and plastered; Nos. 4-6 West One Hundred and Thirty-first street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 272, New Buildings, 1897—William J. Dilthey, petitioner—To allow curtain wall to be of 12-inch brick, as stated in petition; No. 22 West Fourth street. Denied.
Plans 404, Alterations to Buildings, 1897—Horenburger and Straub, petitioners—To allow the basement and first story of front and rear building to be connected, as shown on drawings; No. 178 Stanton street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 335, Alterations to Buildings, 1897—H. E. Bush, petitioner—To allow roof and 12-inch brick wall to be altered, as stated in petition; No. 120 East Twenty-third street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 1260, New Buildings, 1896—Michael Bernstein, petitioner—To allow construction of ceiling of first story entrance, as described in petition; Nos. 4-6 Monroe street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 233, New Buildings, 1897—Edward E. Ashley, petitioner—To allow the construction of partitions and walls, and to allow the height of building, as described in petition; to allow the use of a 12-inch instead of 16-inch brick wall for second story; north side of One Hundred and Forty-fifth street, 100 feet west of St. Nicholas avenue. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 203, New Buildings, 1897—Kurtzer & Rohl, petitioners—To allow the construction of stud partitions, as described in petition; north side of Ninety-second street, 80 feet east of West End avenue. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 387, New Buildings, 1897—A. V. Porter, petitioner—To allow the use of concrete for foundations, as described in petition; One Hundred and Forty-sixth to One Hundred and Forty-seventh street, Lenox avenue to Seventh avenue. Denied.
Plans 351, Alterations to Buildings, 1897—Buchman & Deisler, petitioners—To allow the erection of an additional story, as stated in petition; Lexington avenue, northwest corner of Seventy-second street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 345, New Buildings, 1897—C. A. Millner, petitioner—To allow the use of beam filling for the first tier of steel beams, as described in petition; also to use a 9-inch steel beam in place of brick dwarf wall, as stated in petition; south side of One Hundred and Fifteenth street, 145 feet east of Fifth avenue. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 335, New Buildings, 1897—Buchman & Deisler, petitioners—To allow the construction of entrance hall on first story of small beams and channel irons, filled in with fireproof blocks, instead of constructing the same of brick work; Park avenue, southwest corner of Seventy-third street. Approved, on condition that blocks are 4 inches thick, and subject to the approval of the construction by the Superintendent of Buildings.
Plans 252, New Buildings, 1897—John P. Leo, petitioner—To allow the use of Rapp's system of fireproofing, instead of brick arches or hollow terra cotta; south side of One Hundred and Twenty-seventh street, 250 feet east of Eleventh avenue. Approved, on condition that the under sides of beams are covered with fireproof material, as required by law, and subject to the approval of the construction by the Superintendent of Buildings.
Plans 212, New Buildings, 1897—John P. Leo, petitioner—To allow the use of Rapp's system of fireproofing instead of brick arches or hollow terra cotta; No. 115 East Twenty-seventh street. Approved, on condition that the under sides of beams are covered with fireproof material, as required by law, and subject to the approval of the construction by the Superintendent of Buildings.
Plans 1263, New Buildings, 1896—Henry Andersen, petitioner—To allow the use of cement, in place of stone, for chimney capping; Eighth avenue, northwest corner of One Hundred and Twenty-first street. Approved, subject to the approval of the construction by the Superintendent of Buildings. Mr. Fryer voting No.
Plans 410, Alterations to Buildings, 1897—C. B. J. Snyder, petitioner—To allow the construction of an inclosed iron stairs in east yard, as shown on plans; No. 317 West Fifty-second street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 259, New Buildings, 1897—Jacob G. Fischer, petitioner—To allow the construction of easterly and westerly walls with window openings, as stated in petition; south side of One Hundred and Fifty-third street, 400 feet west of Amsterdam avenue. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 81A, Alterations to Buildings, 1897—C. B. J. Snyder, petitioner—To allow the use of 16-inch walls, laid in best cement, in the erection of an additional story; Fox, Simpson and One Hundred and Sixty-seventh streets. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 355, New Buildings, 1897—De Lemos & Cordes, petitioners—To allow the construction of walls, also floor arches, as described in petition; Nos. 134 and 138 Mott street. Approved, subject to the approval of the construction by the Superintendent of Buildings.
Plans 1388, Alterations to Buildings, 1896—C. B. J. Snyder, petitioner—To allow fresh air ducts to be put into present buildings, as stated in petition; northwest corner of Broome and Sheriff streets. Denied.
Plans 400, New Buildings, 1897—Edward H. Kendall, petitioner—To construct building, as

stated in petition; northeast corner of Moore and Water streets. Approved, subject to the approval of the construction by the Superintendent of Buildings.

Plans 274, New Buildings, 1895—Oscar Hammerstein, petitioner—To allow the inclosure of upper flight of stairs by sash partitions, as the same exists, and to allow the parapet walls of a height of 16 inches; Broadway, east side, Forty-fourth to Forty-fifth street. Laid over for examination and report.

Slip Application 774, 1897—E. H. Robb, petitioner—To allow the erection of a shed, as described in petition; northwest corner of Twelfth avenue and Ninety-seventh street. Referred to Mr. McMillan for examination and report.

Slip Application 894, 1897—Price & James, petitioners—To allow the erection of a temporary tent, as described in petition; First avenue, northeast corner of Ninety-ninth street. Approved, subject to the approval of the construction by the Superintendent of Buildings.

Slip Application 960, 1897—Henry V. Steers, petitioner—To allow the erection of an extension to the present frame building; No. 473 West One Hundred and Fifty-second street. Approved, subject to the approval of the construction by the Superintendent of Buildings.

Slip Application 477, 1897—J. L. Davis, petitioner—To allow the erection of a fence 40 feet high, as stated in petition; south side of Fifty-ninth street, 175 feet east of Madison avenue. Approved, subject to the approval of the construction by the Superintendent of Buildings.

Hopkins and Roberts, petitioners—To allow building to remain as constructed, as to steam pipes, iron shutters, northerly wall and quality of sand, all as stated in petition; No. 52 West Broadway corner Murray street. Laid over.

Fireproof Shutters—J. B. Baker, petitioner—For exemption from fireproof shutters on rear and court walls; Fourth avenue, northeast corner of Twenty-second street. Laid over until again called up.

George T. Smith, petitioner—For exemption from fireproof shutters on rear third to sixth stories; No. 16 East Twenty-third street. Petition granted on recommendation of Mr. Dobbs.

Jacob Lissner, petitioner—For exemption from fireproof shutters on northerly gable and rear walls above first story; No. 88 Columbia street. Laid over for examination and report.

Jacob Goldstein, petitioner—For exemption from fireproof shutters on second story; rear No. 64 Pitt street. Laid over for examination and report.

H. M. Newington, petitioner—For exemption from fireproof shutters; east and west sides above first story; Nos. 49-51 West Sixty-sixth street. Laid over for examination and report.

R. S. Townsend, petitioner—For exemption from fireproof shutters on north and south and rear; Nos. 140-142 Sixth avenue. Laid over for examination and report.

William H. Rahman, candidate for the position of Inspector of Buildings, whose case was laid over April 13, 1897, was declared qualified.

On motion, the Board then adjourned, 5.10 P. M.

WILLIAM H. CLASS, Clerk to Board.

DEPARTMENT OF CORRECTION.

REPORT OF TRANSACTIONS, APRIL 26 TO MAY 1, 1897.

Communications Received.

From Penitentiary—List of prisoners received during week ending April 24, 1897: Males, 32; females, 0; on file. List of 33 prisoners to be discharged from May 2 to 8, 1897; transmitted to Prison Association.

From Heads of Institutions—Reporting meats, milk, fish, etc., received during week ending April 24, 1897, of good quality and up to the standard. On file.

From City Prison—Amount of fines received during week ending April 24, 1897, \$96. On file.

From District Prisons—Amount of fines received during week ending April 24, 1897, \$580. On file.

From Workhouse—Reporting the death of Mamie Smith, prisoner. On file.

From City Cemetery—List of burials during week ending April 24, 1897. On file.

From the Comptroller—Weekly statement of unexpended balances to April 24, 1897. Referred to Bookkeeper.

From his Honor the Mayor—Notice of public hearing on May 4, 1897, on legislative bill "to define the jurisdiction of the Commissioner of Correction of Greater New York." On file.

From Workhouse—Deputy Warden transmits rough sketch of proposed stable on Riker's Island, and asks whether the structure is to be permanent or only temporary.

From Counsel to the Corporation—Returning, approved as to form, contract and specifications for addition to Penitentiary, Blackwell's Island. To be advertised in the CITY RECORD and other Corporation papers.

Resigned.

April 28—H. B. Mackey, Orderly, Workhouse. May 1—Carmine Pantossi, Orderly, Workhouse.

Dismissed.

April 28—James McGlone, Attendant, Workhouse.

ROBERT J. WRIGHT, Commissioner.

APPROVED PAPERS.

Resolved, That permission be and the same is hereby given to D. H. McAlpin to place and keep a bay-window in front of his premises, No. 60 West Thirty-fourth street, provided the dimensions do not exceed those prescribed by law, as shown on the accompanying diagram, the work to be done at his own expense, under the direction of the Commissioner of Public Works; such permission to continue only during the pleasure of the Common Council.

Adopted by the Board of Aldermen, April 28, 1897. Approved by the Mayor, May 4, 1897.

ALDERMANIC COMMITTEES.

RAILROADS—The Committee on Railroads will hold a public meeting on Friday, May 14, 1897, at 11 o'clock A. M., in Room 16, City Hall, "to consider matter of Sixth and Eighth Avenue Railroad Companies."

GAS SUPPLY—The Special Committee appointed to investigate the gas supply will hold a meeting on Friday, May 14, 1897, at 2 o'clock P. M., in Room 16, City Hall.

LAW DEPARTMENT—The Committee on Law Department will hold a meeting on Monday, May 17, 1897, at 2.30 o'clock P. M., in Room 13, City Hall, "to consider ordinance relating to bill-posters."

RAILROADS—The Railroad Committee will hold a meeting on every Monday, at 2 o'clock P. M., in Room 13, City Hall.

WM. H. TEN EYCK, Clerk, Common Council.

LAW DEPARTMENT.

LAW DEPARTMENT—OFFICE OF THE COUNSEL TO THE CORPORATION, NEW YORK, May 12, 1897. Supervisor of the City Record:

I beg to notify you that I have made the following appointments in the Bureau of Street Openings, Law Department:

May 6—Van Alen Harris, No. 26 West Twenty-fourth street, as a Computer of Accounts; salary, nine hundred (\$900) dollars per annum.

James McKenna, No. 270 Spring street, as a Computer of Accounts; salary, nine hundred (\$900) dollars per annum.

Yours truly, FRANCIS M. SCOTT, Counsel to the Corporation.

OFFICIAL DIRECTORY.

Section 68 of chapter 410, Laws of 1882 (the Consolidation Act of the City of New York), provides that "there shall be published in the CITY RECORD, within the month of January in each year, a list of all subordinates employed in any department (except laborers), with their salaries, and residences by street number, and all changes in such subordinates or salaries shall be so published within one week after they are made. It shall be the duty of all the heads of departments to furnish to the person appointed to supervise

the publication of the CITY RECORD everything required to be inserted therein."

JOHN A. SLEICHER, Supervisor City Record.

Mayor's Office—No. 6 City Hall, 9 A. M. to 5 P. M. Saturdays, 9 A. M. to 12 M.

Bureau of Licenses—No. 1 City Hall, 9 A. M. to 4 P. M.

Commissioners of Accounts—Stewart Building, 9 A. M. to 5 P. M.

Aqueduct Commissioners—Stewart Building, 5th floor, 9 A. M. to 4 P. M.

Board of Armory Commissioners—Stewart Building, 9 A. M. to 4 P. M.; Saturdays, 9 A. M. to 12 M.

Clerk of Common Council—No. 8 City Hall, 9 A. M. to 4 P. M.

Department of Public Works—No. 150 Nassau street, 9 A. M. to 4 P. M.

Department of Street Improvements, Twenty-third and Twenty-fourth Wards—Corner One Hundred and Seventy-seventh street and Third avenue, 9 A. M. to 4 P. M.; Saturdays, 12 M.

Department of Buildings—No. 220 Fourth avenue, 9 A. M. to 4 P. M.

Comptroller's Office—No. 15 Stewart Building, 9 A. M. to 4 P. M.

Auditing Bureau—Nos. 19, 21 and 23 Stewart Building, 9 A. M. to 4 P. M.

Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents—Nos. 31, 33, 35, 37 and 39 Stewart Building, 9 A. M. to 4 P. M. No money received after 2 P. M.

Bureau for the Collection of City Revenue and of Markets—Nos. 1 and 3 Stewart Building, 9 A. M. to 4 P. M. No money received after 2 P. M.

Bureau for the Collection of Taxes—Stewart Building, 9 A. M. to 4 P. M. No money received after 2 P. M.

City Chamberlain—Nos. 25 and 27 Stewart Building, 9 A. M. to 4 P. M.

City Paymaster—Stewart Building, 9 A. M. to 4 P. M.

Counsel to the Corporation—Staats-Zeitung Building, 9 A. M. to 5 P. M.; Saturdays, 9 A. M. to 12 M.

Corporation Attorney—No. 119 Nassau street, 9 A. M. to 4 P. M.

Attorney for Collection of Arrears of Personal Taxes—Stewart Building, 9 A. M. to 4 P. M.

Bureau of Street Openings—Nos. 90 and 92 West Broadway.

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

Department of Charities—Central Office, No. 66 Third avenue, 9 A. M. to 4 P. M.

Department of Correction—Central Office, No. 148 East Twentieth street, 9 A. M. to 4 P. M.

Examining Board of Plumbers—Meets every Thursday, at 2 P. M. Office, No. 220 Fourth avenue, sixth floor.

Fire Department—Headquarters, Nos. 157 to 159 East Sixty-seventh street, 9 A. M. to 4 P. M.; Saturdays, 12 M. Central Office open at all hours.

Health Department—New Criminal Court Building, Centres street, 9 A. M. to 4 P. M.

Department of Public Parks—Arsenal, Central Park, Sixty-fourth street and Fifth avenue, 10 A. M. to 4 P. M.; Saturdays, 12 M.

Department of Docks—Battery, Pier A, North river, 9 A. M. to 4 P. M.
Department of Taxes and Assessments—Stewart Building, 9 A. M. to 4 P. M.; Saturdays, 12 M.
Board of Electrical Control—No. 126 Broadway.
Department of Street Cleaning—No. 32 Chambers street, 9 A. M. to 4 P. M.
Civil Service Board—Criminal Court Building, 9 A. M. to 4 P. M.

Board of Estimate and Apportionment—Stewart Building.
Board of Assessors—Office, 27 Chambers street, 9 A. M. to 4 P. M.

Police Department—Central Office, No. 300 Mulberry street, 9 A. M. to 4 P. M.

Board of Education—No. 146 Grand street.
Sheriff's Office—Old "Brown Stone Building," No. 32 Chambers street, 9 A. M. to 4 P. M.

Register's Office—East side City Hall Park, 9 A. M. to 4 P. M.

Commissioner of Surors—Room 127 Stewart Building, 9 A. M. to 4 P. M.

County Clerk's Office—Nos. 7 and 8 New County Court-house, 9 A. M. to 4 P. M.

District Attorney's Office—New Criminal Court Building, 9 A. M. to 4 P. M.

The City Record Office—No. 2 City Hall, 9 A. M. to 5 P. M., except Saturdays, 9 A. M. to 12 M.

Governor's Room—City Hall, open from 10 A. M. to 4 P. M.; Saturdays, 10 to 12 A. M.

Coroner's Office—New Criminal Court Building open constantly. Edward F. Reynolds, Clerk.

Surrogate's Court—New County Court-house, 10.30 A. M. to 4 P. M.

Appellate Division, Supreme Court—Court-house, No. 111 Fifth avenue, corner Eighteenth street. Court opens at 1 P. M.

Supreme Court—County Court-house, 10.30 A. M. to 4 P. M.

Criminal Division, Supreme Court—New Criminal Court Building, Centre street, opens at 10.30 A. M.

Court of General Sessions—New Criminal Court Building, Centre street. Court opens at 10 o'clock A. M.; adjourns 4 P. M. Clerk's Office, 10 A. M. till 4 P. M.

City Court—City Hall, General Term, Room No. 20 Trial Term, Part I., Room No. 20; Part II., Room No. 21; Part III., Room No. 22; Part IV., Room No. 23. Special Term Chambers will be held in Room No. 19 10 A. M. to 4 P. M. Clerk's Office, Room No. 10, City Hall, 9 A. M. to 4 P. M.

Court of Special Sessions—New Criminal Court Building, Centre street. Opens daily, except Saturday, at 10 A. M. Clerk's office hours daily, except Saturday, from 9 A. M. until 4 P. M.; Saturdays, 9 A. M. until 12 M.

District Civil Courts—First District—Southwest corner of Centre and Chambers streets. Clerk's office open from 9 A. M. to 4 P. M. Second District—Corner of Grand and Centre streets. Clerk's Office open from 9 A. M. to 4 P. M. Third District—Southwest corner Sixth avenue and West Tenth street. Court open daily (Sundays and legal holidays excepted) from 9 A. M. to 4 P. M. Fourth District—No. 30 First street. Court opens 9 A. M. daily. Fifth District—No. 154 Clinton street. Sixth District—Northwest corner Twenty-third street and Second avenue. Court opens 9 A. M. daily. Seventh District—No. 151 East Fifty-seventh street. Court opens 9 o'clock (except Sundays and legal holidays). Eighth District—Northwest corner of Twenty-third street and Eighth avenue. Court opens 9 A. M. Trial days: Wednesdays, Fridays and Saturdays. Return days: Tuesdays, Thursdays and Saturdays. Ninth District—No. 170 East One Hundred and Twenty-first street. Court opens every morning at 9 o'clock (except Sundays and legal holidays). Tenth District—Corner of Third avenue and One Hundred and Fifty-eighth street, 9 A. M. to 4 P. M. Eleventh District—No. 919 Eighth avenue. Court open daily (Sundays and legal holidays excepted) from 9 A. M. to 4 P. M. Twelfth District—Westchester, New York City. Open daily (Sundays and legal holidays excepted), from 9 A. M. to 4 P. M. Thirteenth District—Corner Columbus avenue and One Hundred and Twenty-sixth street. Court open daily (Sundays and legal holidays excepted), from 9 A. M. to 4 P. M.

City Magistrates' Courts—Office of Secretary, Fifth District Police Court, One Hundred and Twenty-fifth street, near Fourth avenue. First District—Tomb, Centre street. Second District—Jefferson Market. Third District—No. 69 Essex street. Fourth District—Fifty-seventh street, near Lexington avenue. Fifth District—One Hundred and Twenty-first street, southeastern corner of Sylvan place. Sixth District—One Hundred and Fifty-eighth street and Third avenue.

AQUEDUCT COMMISSION.

AQUEDUCT COMMISSIONERS' OFFICE, ROOM 209, STEWART BUILDING, NO. 280 BROADWAY, NEW YORK, MAY 14, 1897.

PUBLIC NOTICE.

TO ALL WHOM IT MAY CONCERN.
 IN CONFORMITY WITH THE REQUIREMENTS of section 2, chapter 490, Laws of 1883, of the State of New York, public notice is hereby given to all persons interested that full opportunity will be afforded them to be heard in relation to acquiring additional lands west of Bog Brook Reservoir, near Brewster, Putnam County, New York, required for the maintenance of said reservoir, as shown upon the map now on file in this office; said public hearing to be held at the office of the Aqueduct Commissioners, Room 209, Stewart Building, No. 280 Broadway, New York, on Wednesday, May 26, 1897, at 3 o'clock P. M., and upon subsequent dates thereafter to which said hearing may be adjourned, until concluded.
 By order of the Aqueduct Commissioners.
 JAMES C. DUANE, President.
 EDWARD L. ALLEN, Secretary.

CITY CIVIL SERVICE COMM.

NEW CRIMINAL COURT BUILDING, NEW YORK, MAY 14, 1897.

EXAMINATIONS WILL BE HELD AS FOLLOWS:

Friday, May 14, to A. M., NURSE.
 Monday, May 17, to A. M., TIMEKEEPERS.
 TWENTY-THIRD AND TWENTY-FOURTH WARDS. DEPARTMENT OF STREET IMPROVEMENTS. Applicants will be examined in writing, arithmetic, English spelling, dictation and letter writing, and also as to their knowledge of the streets, avenues and territory of the Twenty-third and Twenty-fourth Wards.

Tuesday, May 18, to A. M., ENGINEER INSPECTOR OF PAVING, REGULATING, GRADING, ETC. Candidates must be over eighteen years of age, residents of New York State and citizens of the United States, and will be examined in technical knowledge, writing and arithmetic. Candidates must be thoroughly competent to regulate and grade city streets, to direct and superintend excavations and blasting, filling, dumping, etc., setting pavements and inspection of paving blocks, etc.

Wednesday, May 19, to A. M., ARCHITECTURAL DRAUGHTSMAN.

Tuesday, May 25, to A. M., CIVIL SERVICE EXAMINER IN MECHANICAL ENGINEERING. Candidates having had technical education and experience in running engines and pumps preferred.

Applications are desired for the positions of Building Inspectors of Masonry and Building Inspectors of Iron and Steel Construction. Applicants must have at least ten years' experience in their respective lines and be able to read building plans. The salary for Building Inspectors \$1,100 to \$1,500 per annum, and the Inspectors are eligible to advancement to Chief Inspectors of the several branches, the salary of which is from \$1,800 to \$2,500 per annum.

Notice is also given that applications are desired for the position of Inspector of Light, Plumbing and Ventilation in the Building Department.

Persons desiring employment in the hospitals should make application as Hospital Orderly; salary from \$45

to \$40 per month. Orderlies are eligible for promotion to Inspector; salary from \$40 to \$60 per month, board and lodging furnished. Persons desiring employment at hospitals, outside work, should make application for Hospital Helper; salary not above \$25 per month, board and lodging furnished. Persons desiring employment as Orderly in Correction Department should make application for the position of Orderly in the Department of Correction; salary, \$25 per month. Letters of recommendation will be required in all cases.
 S. WILLIAM BRISCOE, Secretary.

NEW YORK, May 1, 1897.
 NOTICE IS GIVEN THAT THE REGISTRATION days in the Labor Bureau will be Wednesday and Friday, and that examinations will take place on those days at 1 P. M.
 S. WILLIAM BRISCOE, Secretary.

DEPARTMENT OF BUILDINGS.

DEPARTMENT OF BUILDINGS, NO. 220 FOURTH AVENUE, NEW YORK, JUNE 22, 1896.

NOTICE TO OWNERS, ARCHITECTS AND BUILDERS.

THE DEPARTMENT OF BUILDINGS HAS established a branch office at junction of Third and Courtlandt avenues, where all plans for the erection or alteration of buildings above the Harlem river may be submitted and filed.

STEVENSON CONSTABLE, Superintendent Buildings.

DAMAGE COMM.—23-24 WARDS.

PURSUANT TO THE PROVISIONS OF CHAPTER 537 of the Laws of 1893, entitled "An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth Wards, in the City of New York, or 'otherwise,' and the acts amendatory thereof and supplemental thereto, notice is hereby given, that public meetings of the Commissioners, appointed pursuant to said acts, will be held at Room 58, Schermerhorn Building, No. 96 Broadway, in the City of New York, on Monday, Wednesday and Friday of each week, at 2 o'clock P. M., until further notice.

Dated New York, October 30, 1895.
 DANIEL LORD, JAMES M. VARNUM, GEORGE W. STEPHENS, Commissioners.
 LAMONT McLOUGHLIN, Clerk.

POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, 300 MULBERRY STREET.

TO CONTRACTORS.

SEALED ESTIMATES FOR FURNISHING materials and making and completing alterations, general repairs and improvements to the Station-house and Prison Building of the Twenty-third Precinct Police Station, situated at No. 163 East Fifty-first street, in the City of New York, will be received at the Central Office of the Department of Police, in the City of New York, until 12 o'clock M. of Wednesday, the 19th day of May, 1897.

The person or persons making an estimate shall furnish the same in a sealed envelope, indorsed "Estimate for Alterations, etc.," and with his or their name or names, and the date of presentation, to the head of said Department, at the said office, on or before the day and hour above named, at which time and place the estimates received will be publicly opened by the head of said Department and read.

For particulars of the nature and extent of the work to be done, reference must be made to the plans and specifications on file in the office of the Chief Clerk of the said Department.

Bidders will state, in writing, and also in figures, a price for the work complete. The price is to cover the furnishing of all the materials and labor and the performance of all the work called for by the specifications, plans, drawings and form of agreement. Permission will not be given for the withdrawal of any bid or estimate, and the right is expressly reserved by the head of said Department to reject any or all bids which may be deemed prejudicial to the public interests.

No estimates will be accepted from or a contract awarded to any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

The entire work is to be completed within one hundred (100) days from the date of the contract.

The person or persons to whom the contract may be awarded will be required to give security for the performance of the contract in the manner prescribed by law, in the sum of Ten Thousand Dollars.

Each estimate shall contain and state the name and place of residence of each of the persons making the same, the names of all persons interested with him or them therein, and if no other person be so interested it shall distinctly state that fact; also that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Common Council, head of a Department, Chief of a Bureau, Deputy thereof or Clerk therein, or other officer of the Corporation, is directly or indirectly interested therein or in the supplies or work to which it relates, or in any portion of the profits thereof. The estimate must be verified by the oath, in writing, of the party or parties making the estimate that the several matters stated therein are in all respects true. Where more than one person is interested it is requisite that the verification be made and subscribed to by all the parties interested.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate they will upon its being so awarded become bound as his sureties for its faithful performance; and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled upon its completion and that which the Corporation may be obliged to pay to the person or persons to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of this contract and herein stated, over and above all his debts of every nature and over and above his liabilities as bail, surety and otherwise, and that he has offered himself as a surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered will be subject to approval by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.

Should the person or persons to whom the contract may be awarded neglect or refuse to accept the contract within five days after written notice that the same has been awarded to his or their bid or proposal, and that the adequacy and sufficiency of the security offered has been approved by the Comptroller, or if he or they accept but do not execute the contract and give the proper security, he or they shall be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet as provided by law.

No estimate will be received or considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York,

drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and be retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Bidders are informed that no deviation from the specifications will be allowed unless a written permission shall previously have been obtained from the Board of Police.

Plans may be examined and specifications and blank estimates may be obtained by application to the undersigned at his office in the Central Department.

By order of the Board,
 WILLIAM H. KIPP, Chief Clerk.

NEW YORK, May 6, 1897.

POLICE DEPARTMENT, NEW YORK, May 6, 1897.
 PUBLIC NOTICE IS HEREBY GIVEN THAT a Horse, the property of this Department, will be sold at Public Auction by Van Tassel & Kearney, Auctioneers, at their stables, Nos. 130 and 132 East Thirteenth street, on Friday, May 22, 1897, at 10 o'clock A. M.

By order of the Board,
 WM. H. KIPP, Chief Clerk.

POLICE DEPARTMENT—CITY OF NEW YORK, 1896.

OWNERS WANTED BY THE PROPERTY Clerk of the Police Department of the City of New York, No. 300 Mulberry street, Room No. 9, for the following property, now in his custody, without claimants: Boats, rope, iron, lead, male and female clothing, boots, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount money taken from prisoners and found by Patrolmen of this Department.

JOHN F. HARRIOT, Property Clerk.

COLLEGE OF THE CITY.

A STATED SESSION OF THE BOARD OF Trustees of the College of the City of New York will be held at the Hall of the Board of Education, No. 146 Grand street, on Tuesday, May 18, 1897, at 4.30 o'clock P. M.

CHAS. BULKLEY HUBBELL, Chairman.
 ARTHUR McMULLIN, Secretary.
 Dated New York, May 11, 1897.

STREET IMPROVEMENTS, 23D AND 24TH WARDS.

April 30, 1897.

TO CONTRACTORS.

SEALED BIDS OR ESTIMATES FOR EACH OF the following-mentioned works, with the title of the work and name of the bidder indorsed thereon, also the number of the work, as in the advertisement, will be received by the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards, at his office, Third avenue and One Hundred and Seventy-seventh street, until 11 o'clock A. M. on Friday, May 14, 1897, at which time and hour they will be publicly opened:

No. 1. FOR REGULATING AND REPAVING THE CARRIAGEWAY OF COLLEGE AVENUE, from Morris avenue to One Hundred and Forty-fifth street, WITH ASPHALT PAVEMENT ON THE PRESENT STONE-BLOCK PAVEMENT AND LAYING CROSSEWALKS WHERE REQUIRED.

No. 2. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT, ON A CONCRETE FOUNDATION, THE CARRIAGEWAY OF AND LAYING CROSSEWALKS IN ONE HUNDRED AND THIRTY-SIXTH STREET, from Willis avenue to Brown place.

No. 3. FOR REGULATING AND PAVING WITH GRANITE-BLOCK PAVEMENT THE CARRIAGEWAY OF AND LAYING CROSSEWALKS IN ONE HUNDRED AND THIRTY-SIXTH STREET, from Brown place to Brook avenue.

No. 4. FOR CONSTRUCTING SEWERS AND APPURTENANCES IN AQUEDUCT AVENUE, from existing sewer in Fordham road to summit south of East One Hundred and Eighty-third street, AND IN ANDREWS AVENUE, from existing sewer in Fordham road to East One Hundred and Eighty-first street, AND IN LORING PLACE, from existing sewer in Fordham road to East One Hundred and Eighty-first street.

No. 5. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN EAST ONE HUNDRED AND EIGHTY-FIRST STREET (Irene place), from existing sewer in Jerome avenue to Aqueduct Avenue, East.

Each estimate must contain the name and place of residence of the person making the same, the names of all persons interested with him therein, and if no other person be so interested it shall distinctly state that fact. That it is made without any connection with any other person making an estimate for the same work, and is in all respects fair and without collusion or fraud. That no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation, is directly or indirectly interested in the estimate or in the work to which it relates or in the profits thereof.

Each bid or estimate must be verified by the oath, in writing, of the party making the same, that the several matters therein stated are true, and must be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, to the effect that if the contract is awarded to the person making the estimate, they will upon its being so awarded, become bound as his sureties for its faithful performance, and that if he shall refuse or neglect to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled upon its completion and that which the Corporation may be obliged to pay to the person to whom the contract shall be awarded at any subsequent letting; the amount to be calculated upon the estimated amount of the work by which the bids are tested.

The consent last above mentioned must be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety, or otherwise, and that he has offered himself as surety, in good faith, with the intention to execute the bond required by law.

No estimate will be considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must not be inclosed in a sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit

made by him shall be forfeited and be retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

The Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards reserves the right to reject all bids received for any particular work if he deems it for the best interests of the City.

Blank forms of bid or estimate, the proper envelopes in which to inclose the same, the specifications and agreements, and any further information desired, can be obtained at this office.

LOUIS F. HAFFEN, Commissioner of Street Improvements, Twenty-third and Twenty-fourth Wards.

DEPARTMENT OF PUBLIC WORKS

COMMISSIONER'S OFFICE, NO. 150 NASSAU STREET, NEW YORK, MAY 12, 1897.

TO CONTRACTORS.

BIDS OR ESTIMATES, INCLOSED IN A sealed envelope, with the title of the work and the name of the bidder indorsed thereon, also the number of the work as in the advertisement, will be received at No. 150 Nassau street, corner of Spruce street, in the Chief Clerk's office, Room No. 1704-7, until 12 o'clock M. on Tuesday, May 25, 1897. The bids will be publicly opened by the head of the Department, in the basement at No. 150 Nassau street, at the hour above mentioned.

No. 1. FOR RESURFACING THE ROADWAY OF SEVENTH AVENUE, from the north side of One Hundred and Tenth street to the north side of One Hundred and Forty-fifth street.

No. 2. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT, ON THE PRESENT PAVEMENT, THE CARRIAGEWAY OF FIFTY-FIRST STREET, from Eighth to Eleventh avenue, AND FIFTY-SECOND STREET, from Eighth to Eleventh avenue.

No. 3. FOR LAYING CROSSEWALKS ACROSS SEVENTH AND LENOX AVENUES AT THEIR INTERSECTION WITH THE NORTHERLY AND SOUTHERLY SIDES OF ONE HUNDRED AND FORTY-FIRST AND ONE HUNDRED AND FORTY-SECOND STREETS.

Each bid or estimate shall contain and state the name and place of residence of each of the persons making the same, the names of all persons interested with him therein, and if no other person be so interested it shall distinctly state that fact; that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud; and that no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or in the work to which it relates or in any portion of the profits thereof.

Each estimate must be verified by the oath, in writing, of the party making the same, that the several matters therein stated are true, and must be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, to the effect that if the contract is awarded to the person making the estimate, they will, upon its being so awarded, become bound as his sureties for its faithful performance, and that if he shall refuse or neglect to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled upon its completion, and that which the Corporation may be obliged to pay to the person to whom the contract shall be awarded at any subsequent letting, the amount to be calculated upon the estimated amount of the work by which the bids are tested.

The consent last above-mentioned must be accompanied by the oath or affirmation, in writing, of each of the persons signing the same that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract, over and above all his debts of every nature and over and above his liabilities as bail, surety, or otherwise, and that he has offered himself as surety in good faith, with the intention to execute the bond required by law.

No estimate will be considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must not be inclosed in a sealed envelope containing the estimate, but must be handed to the officer or Clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and be retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of the deposit will be returned to him.

THE COMMISSIONER OF PUBLIC WORKS RESERVES THE RIGHT TO REJECT ALL BIDS RECEIVED FOR ANY PARTICULAR WORK IF HE DEEMS IT FOR THE BEST INTERESTS OF THE CITY.

Blank forms of bid or estimate, the proper envelopes in which to inclose the same, the specifications and agreements, and any further information desired, can be obtained in Bureau of Water Purveyor in basement and Room 1713.

CHARLES H. T. COLLIS, Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS—COMMISSIONER'S OFFICE, NO. 150 NASSAU STREET, NEW YORK, March 23, 1897.

NOTICE IS HEREBY GIVEN TO ALL PLUMBERS, to whom license has been or may be issued to make and connect service pipes, for conducting water to houses and tenements with the distributing pipes in this city, after said pipes have been tapped, and to make connections with sewers or drains from houses and tenements with the sewers or drains in the streets or avenues of this city, that such license will be revoked in the case of any plumber who permits another to use his license and to do the work of a master plumber without holding a certificate of competency from the Examining Board of Plumbers; or who violates any of the regulations which have been or may hereafter be established by the Department, respecting the introduction and use of the Croton water and connections made with sewers and drains.

CHARLES H. T. COLLIS, Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS—COMMISSIONER'S OFFICE, NEW YORK, October 29, 1896.

TO OWNERS, ARCHITECTS AND BUILDERS.

NOTICE IS HEREBY GIVEN THAT ALL ORDINANCES of the Common Council, approved December 31, 1880, and subsequent thereto, in relation to the use and occupancy of sidewalks, must be complied with, and that all hoistways must occupy only such space of the sidewalk as is authorized by special ordinance of the Common Council, passed March 30, 1886, viz.:

"Hoistways may be placed within the stoop-lines, but in no case to extend beyond five feet from the house-line, and shall be guarded by iron railings or rods to prevent accidents to passers-by."

You are further notified that all violations now existing of such ordinances must be removed, and that all conditions set forth in permits granted for vault or other purposes must be complied with within sixty days. The special ordinances permitting court-yard inclosures give no right to occupy this space otherwise.

CHARLES H. T. COLLIS, Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS, COMMISSIONER'S OFFICE, No. 150 NASSAU STREET, NEW YORK, August 6, 1896.

NOTICE IS HEREBY GIVEN THAT THE charge for vault permits is fixed at the rate of \$2 per square foot, under and pursuant to ordinance of the Common Council relating thereto.

HOWARD PAYSON WILDS, Deputy Commissioner of Public Works.

NOTICE TO PROPERTY-OWNERS, BUILDERS, FLAGGERS AND OTHERS.

NOTICE IS HEREBY GIVEN THAT THE practice of placing concrete or other friable curbs on the streets of this city is in contravention of chapter 6, Article 7, section 105, Revised Ordinances of 1880, which reads: "All curb-stones * * * shall be of the best hard blue or gray granite." * * * And this Department will find it necessary to prosecute to the full penalty imposed by law persons setting or making such curbs, whether they have broken up or removed the curb-stones provided by the City or not.

Further notice is given that this Department will in no case entertain claims or damages to concrete or other artificial sidewalks that are caused by repair or setting of hydrants, or by other work which the City does for the general good.

CHARLES H. T. COLLIS, Commissioner of Public Works.

STREET CLEANING DEPT.

DEPARTMENT OF STREET CLEANING, No. 33 CHAMBERS STREET.

CONTRACT FOR REPAIRING THE SCOW "QUEEN."

PUBLIC NOTICE.

ESTIMATES, INCLOSED IN SEALED ENVELOPES and indorsed with the name and address of the person or persons making the same, and the date of presentation, and a statement of the work and supplies to which they relate, will be received at the office of the Department of Street Cleaning, No. 33 Chambers street, in the City of New York, until 12 o'clock M. of Friday, the 21st day of May, 1897, at which time and place the estimates will be publicly opened and read for repairing the scow "Queen."

The person or persons to whom the contract may be awarded will be required to attend at this office with the sureties offered by him or them, and execute such contract within five days from the date of the service of a notice to that effect, and in case of failure or neglect so to do, he or they will be considered as having abandoned such contract and as in default to the Corporation, whereupon the Commissioner of Street Cleaning will readvertise and relet the work, and so on till the contract be accepted and executed.

Bidders are required to state in their estimate, under oath, the names and places of residence, the names of all persons interested with them therein, and if no other person be so interested they shall distinctly state the fact; also, that it is made without any connection with any other person making any bid or estimate for the above work or supplies, and that it is in all respects fair and without collusion or fraud; and also that no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof. Where more than one person is interested it is requisite that the verification be made and subscribed by all the parties interested. Each estimate shall also be accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, or of a guaranty or surety company duly authorized by law to act as surety, to the effect that if the contract be awarded to the person or persons making the estimate, they will, on its being so awarded, become bound as his or their sureties for its faithful performance in the amount of Two Thousand Five Hundred (\$2,500) Dollars; and that if he or they shall omit or refuse to execute the same, they will pay to the Mayor, Aldermen and Commonalty of the City of New York any difference between the sum to which he would be entitled on its completion and that which The Mayor, Aldermen and Commonalty of the City of New York may be obliged to pay to the person or persons to whom the contract may be subsequently awarded. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract, over and above all his debts of every nature and over and above his liabilities as bail, surety and otherwise; that he has offered himself as a surety in good faith, and with an intention to execute the bond required by law. The adequacy and sufficiency of the sureties offered shall be approved by the Comptroller.

The price must be written in the bid or estimate, and also stated in figures. Permission will not be given for the withdrawal of any bid or estimate, and the right is expressly reserved by the Commissioner of Street Cleaning to reject any or all the bids, or to select the bid or bids, the acceptance of which will, in his judgment, be deemed best for the interest of the City. No bid will be accepted from or contract awarded to any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

Each bid or proposal must be accompanied by a certified check on one of the State or National banks of the City of New York, payable to the order of the Comptroller of said city, for One Hundred and Twenty-five (\$125) Dollars, or money to that amount. On the acceptance of any bid the checks or money of the unaccepted bidders will be returned to them, and upon the execution of the contract the check or money of the accepted bidder will be returned to him.

All bids must be made with reference to the form of contract and the requirements thereof on file at the Department of Street Cleaning, or they will be rejected.

The form of the agreement (with specifications), showing the manner of payment for the articles, may be seen and forms of proposals may be obtained at the office of the Department.

F. M. GIBSON, Deputy and Acting Commissioner of Street Cleaning.

Dated New York, May 7, 1897.

PERSONS HAVING BULKHEADS TO FILL, IN the vicinity of New York Bay, can procure material for that purpose—ashes, street sweepings, etc., such as is collected by the Department of Street Cleaning—free of charge, by applying to the Commissioner of Street Cleaning, in the Criminal Court Building.

GEORGE E. WARING, JR., Commissioner of Street Cleaning

NORMAL COLLEGE OF THE CITY.

A STATED SESSION OF THE BOARD OF Trustees of the Normal College of the City of New York will be held at the Hall of the Board of Education, No. 146 Grand street, on Tuesday, May 18, 1897, at 4 o'clock P. M.

CHAS. BULKLEY HUBBELL, Chairman.
ARTHUR McMULLIN, Secretary.
Dated New York, May 11, 1897.

SEALED PROPOSALS WILL BE RECEIVED BY the Executive Committee for the Care, etc., of the Normal College, until 4 o'clock P. M. on Monday, May 24, 1897, at the Hall of the Board of Education, No. 146 Grand street, for supplying the College buildings, East Sixty-eighth and Sixty-ninth streets, Lexington and Park avenues, with five hundred and twenty-five (525) tons, more or less, of Egg Coal, fifteen (15) tons, more or less, of Nut Coal, mixed, and five (5) tons, more or less, of Nut Coal, all to be of the best quality, clean, and in good order, 2,240 pounds to the ton, and to be delivered in the bins of the College buildings at such times and in such quantities as may be required.

The proposal must state the mines from which it is proposed to supply the coal, to be furnished from the

mines named if accepted, and must state the price per ton of 2,240 pounds.

The Executive Committee reserve the right to reject any or all proposals submitted.

The party submitting a proposal and the parties proposing to become sureties must each write his name and place of residence on said proposal.

Two responsible and approved sureties, residents of this city, are required.

Proposals must be addressed to "The Executive Committee for the Care, etc., of the Normal College."

JACOB W. MACK, Chairman.
ARTHUR McMULLIN, Secretary.
Dated New York, May 11, 1897.

FIRE DEPARTMENT.

HEADQUARTERS FIRE DEPARTMENT, Nos. 157 and 159 EAST SIXTY-SEVENTH STREET, NEW YORK, May 6, 1897.

TO CONTRACTORS.

SEALED PROPOSALS FOR FURNISHING the materials and labor and doing the work required in altering, etc., and placing a Steam Freight Elevator in the building of this Department occupied as the Repair Shops, at Nos. 130 and 132 West Third street, will be received by the Board of Commissioners at the head of the Fire Department, at the office of said Department, Nos. 157 and 159 East Sixty-seventh street, in the City of New York, until 10.30 o'clock A. M., Wednesday, May 19, 1897, at which time and place they will be publicly opened by the head of said Department and read.

No estimate will be received or considered after the hour named.

For information as to the amount and kind of work to be done bidders are referred to the specifications, which form part of these proposals.

The form of the agreement, showing the manner of payment for the work, with the specifications may be seen and forms of proposals may be obtained at the office of the Department.

Proposals must be made for all of the work called for in the specifications.

Bidders will write out the amount of their estimate in addition to inserting the same in figures.

The work is to be completed and delivered within the time specified in the contract.

The damages to be paid by the contractor for each day that the contract may be unfulfilled after the time specified for the completion thereof shall have expired are fixed and liquidated at Ten (\$10) Dollars.

The award of the contract will be made as soon as practicable after the opening of the bids.

Any person making an estimate for the work shall present the same in a sealed envelope to said Board, at said office, on or before the day and hour above named, which envelope shall be indorsed with the name or names of the person or persons presenting the same, the date of its presentation, and a statement of the work to which it relates.

The Fire Department reserves the right to decline any and all bids or estimates if deemed to be for the public interest. No bid or estimate will be accepted from, or contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter as surety or otherwise upon any obligation to the Corporation.

Each bid or estimate shall contain and state the name and place of residence of each of the persons making the same, the names of all persons interested with him or them therein, and if no other person be so interested it shall distinctly state that fact; that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Common Council, head of a department, chief of a bureau, deputy thereof or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested it is requisite that the verification be made and subscribed by all the parties interested.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate, they will, on its being so awarded, become bound as sureties for its faithful performance in the sum of Two Thousand (\$2,000) Dollars, and that if he shall omit or refuse to execute the same they will pay to the Corporation any difference between the sum to which he would be entitled on its completion and that which the Corporation may be obliged to pay to the person or persons to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York and is worth the amount of the security required for the completion of this contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise, and that he has offered himself as a surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered is to be approved by the Comptroller of the City of New York before the award is made and prior to the signing of the contract.

No estimate will be considered unless accompanied by either a certified check upon one of the banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of One Hundred (\$100) Dollars. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Should the person or persons to whom the contract may be awarded neglect or refuse to accept the contract within five days after written notice that the same has been awarded to his or their bid or proposal, or if he or they accept but do not execute the contract and give the proper security he or they shall be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet as provided by law.

JAMES R. SHEFFIELD, O. H. LA GRANGE, THOMAS STURGIS, Commissioners.

HEADQUARTERS FIRE DEPARTMENT, Nos. 157 and 159 EAST SIXTY-SEVENTH STREET, NEW YORK, May 6, 1897.

TO CONTRACTORS.

SEALED PROPOSALS FOR FURNISHING THE materials and labor and doing the work required in building, completing and delivering a fire-boat for this Department, will be received by the Board of Commissioners at the head of the Fire Department, at the office of said Department, Nos. 157 and 159 East Sixty-seventh street, until 10.30 o'clock A. M., on Wednesday, May 19, 1897, at which time and place they will be publicly opened by the head of said Department and read.

For information as to the amount and kind of work to be done, bidders are referred to the drawings and specifications prepared by H. de B. Parsons, Supervising Engineer, said specifications and drawings forming part of these proposals.

Copies of the forms of agreement, showing the manner of payment for the work, and copies of the specifications and forms of proposal, may be obtained and the drawings may be seen at the office of the Department, at above, or at the office of the Supervising Engineer, No. 22 William street.

No estimate will be received or considered after the hour named.

Proposals must be made for all the work contained in the specifications.

Bidders will write out the amount of their estimate in addition to inserting the same in figures.

The fire-boat is to be completed and delivered within the one hundred and eighty-fifth (185th) day after the execution of the contract.

The damages to be paid by the contractor for each day that the contract may be unfulfilled after the time specified for the completion thereof shall have expired are fixed and liquidated at twenty-five (\$25) dollars.

The award of the contract will be made as soon as practicable after the opening of the bids.

Any person making an estimate for the work shall present the same in a sealed envelope to said Board, at said office, on or before the day and hour above named, which envelope shall be indorsed with the name or names of the person or persons presenting the same, the date of its presentation, and a statement of the work to which it relates.

The Fire Department reserves the right to decline any and all bids or estimates if deemed to be for the public interest. No bid or estimate will be accepted from, or contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

Each bid or estimate shall contain and state the name and place of residence of each of the persons making the same; the names of all persons interested with him or them therein; and if no other person be so interested, it shall distinctly state that fact; that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud; and that no member of the Common Council, head of a department, chief of a bureau, deputy thereof or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested it is requisite that the verification be made and subscribed by all the parties interested.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders of the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate, they will, on its being so awarded, become bound as sureties for its faithful performance in the sum of Twenty-four Thousand (\$24,000) Dollars, and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled on its completion and that which the Corporation may be obliged to pay to the person or persons to whom the contract may be awarded at any subsequent letting; the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of this contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise; and that he has offered himself as a surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered is to be approved by the Comptroller of the City of New York before the award is made and prior to the signing of the contract.

No estimate will be considered unless accompanied by either a certified check upon one of the banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of One Thousand Two Hundred (\$1,200) Dollars. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid, the amount of his deposit will be returned to him.

Should the person or persons to whom the contract may be awarded neglect or refuse to accept the contract within five days after written notice that the same has been awarded to his or their bid or proposal, or if he or they accept but do not execute the contract and give the proper security, he or they shall be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet as provided by law.

JAMES R. SHEFFIELD, O. H. LA GRANGE, THOMAS STURGIS, Commissioners.

HEALTH DEPARTMENT.

TO CONTRACTORS.

SEALED BIDS OR ESTIMATES FOR FURNISHING One Thousand Tons of White Ash Coal, egg size, for the Riverside Hospital, at North Brother Island, under the charge of the Board of Health, will be received at the office of the Health Department, in the City of New York, until 12.30 o'clock P. M. of May 25, 1897. The person or persons making any bid or estimate shall furnish the same in a sealed envelope, indorsed "Bid or Estimate for Furnishing Coal for Riverside Hospital," and with his or their name or names, and the date of its presentation, to the head of said Department, at the said office, on or before the day and hour above named, at which time and place the bids or estimates received will be publicly opened by the President of said Board and read.

The Board of Health reserves the right to reject all bids or estimates, as provided in section 64, chapter 419, Laws of 1882, if deemed to be for the public interest. No bid or estimate will be accepted from, or contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

The award of the contract will be made as soon as practicable after the opening of the bids.

The Coal to be of good quality, and the quantity that will be required will be about One Thousand (1,000) Tons of White Ash Coal, egg size, to be well screened and in good order, each ton to be 2,240 pounds, in accordance with the specifications attached to and which form a part of the contract aforesaid.

Delivery to be made at the Riverside Hospital, at North Brother Island, at the time required by the Board of Health; any changes in the time or place of delivery, however, may be made, in writing, by the Board of Health.

The above quantity is estimated and approximated only, and bidders are notified that the Board of Health reserves the right to increase or diminish said quantities by an amount not exceeding fifteen per cent. of the estimated quantities, and the contractor will be paid therefor only at the rate or price named in the contract, and that in case the above-named quantity shall not be required by the Department, no allowance will be made for any real or supposed damage or loss of profit.

The person or persons to whom the contract may be awarded will be required to give security for the performance of the contract by his or their bond, with two sufficient sureties, each in the penal sum of \$3,000.

Each bid or estimate shall contain and state the name and place of residence of each of the persons making the same, the names of all persons interested with him or them therein, and if no other person be so interested it shall distinctly state that fact; also that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Common Council, head of a Department, Chief of a Bureau, deputy thereof, or clerk therein, or other officer of the corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate, that the several matters therein stated are in all respects true. Where more than one person is interested, it is requisite that the verification be made and subscribed by all the parties interested.

Bidders will be required to furnish testimonials that they are engaged in the coal business in the City of New York, and have the plant necessary to carry out promptly and regularly the contract, if it be awarded, to the entire satisfaction of the Board of Health, and must furnish an undertaking for the faithful performance of all the provisions thereof in the manner provided by law, executed by two householders or freeholders of the City of New York, each justifying in the penal sum of \$3,000, and agreeing that if he shall omit or refuse to execute the said contract they will pay to the Corporation any difference between the sum to which he would be entitled on its completion and that which the Corporation may be obliged to pay to the person or per-

sons to whom the contract shall be awarded a' any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of this contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise, and that he has offered himself as a surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered is to be approved by the Comptroller of the City of New York.

Should the person or persons to whom the contract is awarded neglect or refuse to accept the contract within five days after written notice that the same has been awarded to him or their bid or estimate, or if he or they accept, but do not execute, the contract and give the proper security, he or they shall be considered as having abandoned it and as in default of the Corporation, and the contract will be readvertised and relet as provided by law.

No bid or estimate will be received or considered unless accompanied by either a certified check upon one of the National or State banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must NOT be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Bidders are cautioned to examine the form of contract and the specifications for particulars before making their estimates. Bidders will write out the amount of their estimate in addition to inserting the same in figures.

Payment for the Coal will be made by requisition on the Comptroller, and as more specifically and particularly is set forth in the contract form.

Bidders are informed that no deviation from the contract and specifications will be allowed unless under the written instruction of the Board of Health.

The form of the agreement, including specifications, showing the manner of payment, will be furnished at the office of the Department, Criminal Court Building, Centre, White, Elm and Franklin streets.

CHARLES G. WILSON, GEORGE B. FOWLER, M. D., ALVAH H. DOITY, M. D., FRANK MOSS, Commissioners.

Dated New York, May 13, 1897.

DEPARTMENT OF PUBLIC PARKS

DEPARTMENT OF PUBLIC PARKS, ARSENAL, CENTRAL PARK, NEW YORK, MAY 11, 1897.

TO CONTRACTORS

SEALED BIDS OR ESTIMATES, WITH THE title of the work and the name of the bidder indorsed thereon, will be received by the Department of Public Parks, at its offices, Arsenal Building, Sixty-fourth street and Fifth avenue, Central Park, until 2 o'clock P. M., of Monday, May 24, 1897, for the following named works:

No. 1. FOR PAVING WITH ASPHALT THE UNPAVED PORTIONS OF THE SIDEWALKS OF TRANSVERSE ROADS NOS. 1, 2 AND 3, CROSSING THE CENTRAL PARK, from Fifth avenue to Central Park, West (Eighth avenue).

No. 2. FOR PAVING WITH ASPHALT THE SIDEWALKS ADJOINING MANHATTAN SQUARE, IN CENTRAL PARK, WEST, AND COLUMBUS AVENUE, BETWEEN SEVENTY-SEVENTH AND EIGHTY-FIRST STREETS.

No. 3. FOR REPAIRING WITH CONCRETE AND MORTAR OF PORTLAND CEMENT THE WALK ADJOINING AND IN CONNECTION WITH THE BATTERY SEA WALL, between Pier "A," North river, and the westerly line of the property of the U. S. Government.

The works must be bid for separately.

The Engineer's estimates of the works to be done and by which the bids will be tested are as follows:

NO. 1, ABOVE MENTIONED.

32,500 square feet of walk pavement of asphalt, with concrete base and rubble-stone foundation.

The time allowed for the completion of the whole work will be forty consecutive working days.

The damages to be paid by the contractor for each day that the contract or any part thereof may be unfulfilled after the time fixed for the completion thereof has expired are fixed at Four Dollars per day.

The amount of security required is Three Thousand Dollars.

NO. 2, ABOVE MENTIONED.

20,000 square feet of walk pavement of asphalt, with concrete base and rubble-stone foundation.

The time allowed for the completion of the whole work will be thirty consecutive working days.

The damages to be paid by the contractor for each day that the contract, or any part thereof, may be unfulfilled after the time fixed for the completion thereof has expired, are fixed at Four Dollars per day.

The amount of security required is Two Thousand Dollars.

NO. 3, ABOVE MENTIONED.

16,000 square feet of pavement of concrete and mortar of Portland cement.

30 cubic yards of concrete in place.

The time allowed for the completion of the whole work will be twenty-five consecutive working days.

The damages to be paid by the contractor for each day that the contract, or any part thereof, may be unfulfilled after the time fixed for the completion thereof has expired are fixed at Four Dollars per day.

The amount of security required is Two Thousand Dollars.

Bidders on Nos. 1 and 2 must deposit with the Commissioners of the Department of Public Parks at least two (2) days before making their bids samples of materials they intend to use, as follows:

1st. Specimens of mastic of rock asphalt, refined bitumen and grit.

2d. Specimens of asphaltum and of asphaltic cement.

3d. A statement of the elements of the composition of the bituminous cements used in the composition of the paving surface.

4th. Specimens of sand intended to be used.

5th. Specimens of pulverized carbonate of lime intended to be used, and such specimens must be furnished to the Department of Public Parks as often as may be required during the progress of the work.

6th. Specimens of the asphaltic rock, with a certificate or other evidence that it is of even fabric and a product of the first quality and from the mines designated in the specification.

No bid will be received or considered unless the deposits of materials referred to above are made with the Commissioners of the Department of Public Parks within the time prescribed, nor unless they conform to the requirements of the specifications.

Bidders must satisfy themselves by personal examination of the location of the proposed work, and by such other means as they may prefer, as to the nature and extent of the work, and shall not, any time after the submission of an estimate, dispute or complain of such statement, nor assert that there was any misunderstanding in regard to the nature or amount of the work to be done.

The estimates received will be publicly opened by the

head of the said Department at the place and hour last above mentioned and read.

Each bid or estimate shall contain and state the name and place of residence of each of the persons making the same, the names of all persons interested with him or them therein, and if no other person be so interested it shall distinctly state that fact; that it is made with out any connection with any other person making an estimate for the same purpose and is in all respects fair and without collusion or fraud, and that no member of the Common Council, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the supplies or work to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate that the several matters stated therein are in all respects true. Where more than one person is interested it is requisite that the verification be made and subscribed by all the parties interested.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate, they will, on its being so awarded, become bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same they will pay to the Corporation any difference between the sum to which he would be entitled on its completion and that which the Corporation may be obliged to pay to the person or persons to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above-mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of this contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise, and that he has offered himself as surety in good faith and with the intention to execute the bond required by section 27 of chapter 8 of the Revised Ordinances of the City of New York, if the contract shall be awarded to the person or persons for whom he consents to become surety; the adequacy and sufficiency of the security offered to be approved by the Comptroller of the City of New York.

No bid or estimate will be received or considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits except that of the successful bidder will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

N. B.—The prices must be written in the estimate and also stated in figures, and all estimates will be considered as informal which do not contain bids for all items for which bids are herein called or which contain bids for items for which bids are not herewith called for. Permission will not be given for the withdrawal of any bid or estimate. No bid will be accepted from or contract awarded to any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

The Department of Public Parks reserves the right to reject any or all the bids received in response to this advertisement if it should deem it for the interest of the City so to do, and to readvertise until satisfactory bids or proposals shall be received, but the contract when awarded will be awarded to the lowest bidder.

Blank forms for proposals, and forms of the several contracts which the successful bidders will be required to execute, can be had, the plans can be seen, and information relative to them can be had at the office of the Department, Arsenal, Central Park.

SAMUEL McMILLAN, S. V. R. CRUGER, WILLIAM A. STILES, SMITH ELY, Commissioners of Public Parks.

CORPORATION NOTICE.

PUBLIC NOTICE IS HEREBY GIVEN TO THE owner or owners, occupant or occupants, of all houses and lots, improved or unimproved lands affected thereby, that the following assessments have been completed and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

List 5424, No. 1. Fencing the vacant lots at Nos. 532, 534 and 536 West Forty-fourth street.

List 5425, No. 2. Fencing the vacant lots on the southeast corner of One Hundred and Fourteenth street and Pleasant avenue.

List 5433, No. 3. Sewer in Church street, between Duane and Thomas streets.

List 5444, No. 4. Alteration and improvement to sewer in Central Park, West, between Ninetieth and Ninety-first streets, with connections to present sewer in Ninetieth and Ninety-first streets.

List 5447, No. 5. Sewer in One Hundred and Forty-fifth street (south side), between Edgemoor avenue and Avenue Saint Nicholas.

List 5449, No. 6. Receiving-basins on the northeast and southeast corners of Broome and Tompkins streets.

The limits embraced by such assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Block 1072, Lot Numbers 51 to 54, inclusive, Twenty-second Ward.

No. 2. Block 1713, Lot Numbers 29 to 32, inclusive, and Lot Number 4.

No. 3. Both sides of Church street, from Duane to Thomas street, and north side of Duane street, from Broadway to Church street, and west side of Broadway, from Duane to Thomas street.

No. 4. Both sides of Ninetieth and Ninety-first streets, from Central Park, West, to Columbus avenue, and both sides of Central Park, West, from Ninetieth to Ninety-second street.

No. 5. South side of One Hundred and Forty-fifth street, from Edgemoor avenue to Avenue Saint Nicholas.

No. 6. Both sides of Broome street, from Tompkins street extending easterly about 66 feet, and east side of Tompkins street, from Grand street to a point about 50 feet north of Broome street.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Chairman of the Board of Assessors, at their office, No. 27 Chambers street, within thirty days from the date of this notice.

The above-described lists will be transmitted, as provided by law, to the Board of Revision and Correction of Assessments for confirmation on the 12th day of June, 1897.

THOMAS J. RUSH, Chairman; PATRICK M. HAVERTY, JOHN W. JACOBUS, EDWARD McCUE, Board of Assessors.

New York, May 12, 1897.

PUBLIC NOTICE IS HEREBY GIVEN TO THE owner or owners, occupant or occupants, of all houses and lots, improved or unimproved lands affected thereby, that the following assessments have been com-

pleted and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

List 5274, No. 1. Reregulating, regrading, recubing and reflagging One Hundred and Twenty-seventh street, between St. Nicholas and Convent avenues.

List 5421, No. 2. Sewer and appurtenances in Bremer avenue, from Jerome avenue to summit north of East One Hundred and Sixty-sixth street.

List 5422, No. 3. Receiving-basins and appurtenances on the northeast and northwest corners of Intervale avenue and East One Hundred and Sixty-fifth street.

The limits embraced by such assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of One Hundred and Twenty-seventh street, from St. Nicholas avenue to Convent avenue.

No. 2. Both sides of Bremer avenue, from Jerome avenue to a point distant about 177 feet north of One Hundred and Sixty-sixth street; both sides of One Hundred and Sixty-second, One Hundred and Sixty-third and One Hundred and Sixty-fourth to One Hundred and Sixty-fifth street, and both sides of One Hundred and Sixty-fifth street, from Nelson avenue to Bremer avenue.

No. 3. Both sides of Intervale avenue, from One Hundred and Sixty-fifth to One Hundred and Sixty-seventh street, and north side of One Hundred and Sixty-fifth street, from Kelly street to Hall place.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Chairman of the Board of Assessors, at their office, No. 27 Chambers street, within thirty days from the date of this notice.

The above-described lists will be transmitted, as provided by law, to the Board of Revision and Correction of Assessments for confirmation on the 11th day of June, 1897.

THOMAS J. RUSH, Chairman; PATRICK M. HAVERTY, JOHN W. JACOBUS, EDWARD McCUE, Board of Assessors.

New York, May 12, 1897.

PUBLIC NOTICE IS HEREBY GIVEN TO THE owner or owners, occupant or occupants, of all houses and lots, improved or unimproved lands affected thereby, that the following assessments have been completed and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

List 5390, No. 1. Paving Houston street, from Lewis to Mangin street, with granite blocks and laying crosswalks (so far as the same is within the limits of grants of land under water).

List 5379, No. 2. Alteration and improvement to sewer in Eighty-first street, between Columbus avenue and Central Park, West.

The limits embraced by such assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of Houston street, from Lewis to Mangin street, and to the extent of half the block at the intersecting streets.

No. 2. Both sides of Eighty-first street, from Columbus avenue to Central Park, West, and both sides of Central Park, West, from Eighty-first street to Eighty-fifth street.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Chairman of the Board of Assessors, at their office, No. 27 Chambers street, within thirty days from the date of this notice.

The above-described lists will be transmitted, as provided by law, to the Board of Revision and Correction of Assessments, for confirmation on the 4th day of June, 1897.

THOMAS J. RUSH, Chairman; PATRICK M. HAVERTY, JOHN W. JACOBUS, EDWARD McCUE, Board of Assessors.

New York, May 4, 1897.

BOARD OF EDUCATION.

SEALED PROPOSALS WILL BE RECEIVED by the Committee on Buildings of the Board of Education of the City of New York, at the Annex of the Hall of the Board, No. 585 Broadway, eleventh floor, until 3:30 o'clock P. M., on Monday, May 24, 1897, for Erecting a New School Building on the easterly side of Avenue A, between Seventy-seventh and Seventy-eighth streets; also for Supplying the Heating Apparatus for Annex and Ventilating System for Annex and Main Building of Grammar School No. 34; also for Heating and Ventilating the New School Building in course of erection on Union avenue, near One Hundred and Forty-ninth street; also for Making Alterations, Repairs, etc., at Grammar School Buildings Nos. 17, 28, 51, 53, 58, 69, 74, 76, 77 and 82.

Plans and specifications may be seen and blank proposals obtained at the Annex of the Hall of the Board, Estimating Room, Nos. 419 and 421 Broome street, top floor.

The Committee reserve the right to reject any or all of the proposals submitted.

The party submitting a proposal, and the parties proposing to become sureties, must each write his name and place of residence on said proposal.

Two responsible and approved sureties, residents of this city, are required in all cases.

No proposal will be considered from persons whose character and antecedent dealings with the Board of Education render their responsibility doubtful.

It is required, as a condition precedent to the reception or consideration of any proposals, that a certified check upon or a certificate of deposit of one of the State or National banks or Trust Companies of the City of New York, drawn to the order of the President of the Board of Education, shall accompany the proposal to an amount of not less than three per cent. of such proposal when said proposal is for or exceeds ten thousand dollars, and to an amount of not less than five per cent. of such proposal when said proposal is for an amount under ten thousand dollars; that on demand, within one day after the awarding of the contract by the Committee, the President of the Board will return all the deposits of checks and certificates of deposits made, to the persons making the same, except that made by the person or persons whose bid has been so accepted; and that if the person or persons whose bid has been so accepted shall refuse or neglect, within five days after due notice has been given that the contract is ready for execution, to execute the same, the amount of the deposit or of the check or certificate of deposit made by him or them shall be forfeited and retained by this Board, not as a penalty, but as liquidated damages for such neglect or refusal, and shall be paid into the City Treasury to the credit of the Sinking Fund of the City of New York; but if the said person or persons whose bid has been so accepted shall execute the contract within the time aforesaid, the amount of his or their deposit of check or certificate of deposit shall be returned to him or them.

EDWARD H. PEASLEE, RICHARD H. ADAMS, DANIEL E. McSWEENEY, WILLIAM H. HURLBUT, JACOB W. MACK, Committee on Buildings.

Dated New York, May 13, 1897.

SEALED PROPOSALS WILL BE RECEIVED by the Committee on Buildings of the Board of Education of the City of New York, at the Annex of the Hall of the Board, No. 585 Broadway, eleventh floor, until 3:30 o'clock P. M., on Monday, May 27, 1897, for the Erection of a New School Building on the northerly side of Hester street, between Ludlow and Orchard streets; also for Supplying Planos for the Public Schools.

Plans and specifications may be seen, and blank proposals obtained at the Annex of the Hall of the Board, Estimating Room, Nos. 419 and 421 Broome street, top floor.

The Committee reserve the right to reject any or all of the proposals submitted.

The party submitting a proposal, and the parties proposing to become sureties, must each write his name and place of residence on said proposal.

Two responsible and approved sureties, residents of this city, are required in all cases.

No proposal will be considered from persons whose character and antecedent dealings with the Board of Education render their responsibility doubtful.

It is required, as a condition precedent to the reception or consideration of any proposals, that a certified check upon or a certificate of deposit of one of the State or National banks or Trust Companies of the City of New York, drawn to the order of the President of the Board of Education, shall accompany the proposal to an amount of not less than three per cent. of such proposal when said proposal is for or exceeds ten thousand dollars, and to an amount of not less than five per cent. of such proposal when said proposal is for an amount under ten thousand dollars; that on demand, within one day after the awarding of the contract by the Committee, the President of the Board will return all the deposits of checks and certificates of deposits made, to the persons making the same, except that made by the person or persons whose bid has been so accepted; and that if the person or persons whose bid has been so accepted shall refuse or neglect, within five days after due notice has been given that the contract is ready for execution, to execute the same, the amount of the deposit or of the check or certificate of deposit made by him or them shall be forfeited and retained by this Board, not as a penalty, but as liquidated damages for such neglect or refusal, and shall be paid into the City Treasury to the credit of the Sinking Fund of the City of New York; but if the said person or persons whose bid has been so accepted shall execute the contract within the time aforesaid, the amount of his or their deposit of check or certificate of deposit shall be returned to him or them.

EDWARD H. PEASLEE, RICHARD H. ADAMS, DANIEL E. McSWEENEY, WILLIAM H. HURLBUT, JACOB W. MACK, Committee on Buildings.

Dated New York, May 6, 1897.

FINANCE DEPARTMENT.

NOTICE TO PROPERTY-OWNERS.

IN PURSUANCE OF SECTION 916 OF THE "New York City Consolidation Act of 1882," the Comptroller of the City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments, viz.:

FIRST WARD.

WATER STREET—SEWER, between Wall street and Gouverneur lane. Area of assessment: Both sides of Water street, between Wall street and Gouverneur lane.

SECOND WARD.

GOLD STREET—SEWER, between John and Fulton streets. Area of assessment: Both sides of Gold street, between John and Fulton streets.

SECOND AND FOURTH WARDS.

PECK SLIP AND FERRY STREET—PAVING, between Pearl and South streets. Area of assessment: Both sides of Peck slip and Ferry street, between Pearl and South streets, and to the extent of half the blocks on the intersecting and terminating streets.

THIRD WARD.

WEST STREET—PAVING, between Chambers and Murray streets, and LAYING CROSSWALKS. Area of assessment: Both sides of West street for the distance of about 100 feet, to the north and south of Warren street, and to the extent of half the block at the intersection of Warren street.

TWELFTH WARD.

BOULEVARD—SEWER, east side, between One Hundred and Fourteenth and One Hundred and Sixteenth streets. Area of assessment: East side of Boulevard, between One Hundred and Fourteenth street and a point distant about 160 feet north of One Hundred and Sixteenth street, and both sides of One Hundred and Sixteenth street, from the Boulevard to Amsterdam avenue.

COLUMBUS AVENUE—SEWER, east side, between One Hundred and Seventh street and Cathedral Parkway. Area of assessment: East side of Columbus avenue, between One Hundred and Seventh street and Cathedral Parkway.

CONVENT AVENUE—SEWER, west side, between One Hundred and Twenty-seventh and One Hundred and Thirty-first streets. Area of assessment: West side of Convent avenue, between One Hundred and Twenty-seventh and One Hundred and Thirty-first streets.

FIFTH AVENUE—SEWERS, between One Hundred and Thirty-eighth and One Hundred and Fortieth streets; also, SEWER in One Hundred and Thirty-ninth street, between Fifth and Lenox avenues; also, SEWER in One Hundred and Fortieth street, between Lenox avenue and Harlem river. Area of assessment: Both sides of Fifth avenue and east side of Lenox avenue, between One Hundred and Thirty-eighth and One Hundred and Fortieth streets; also north side of One Hundred and Thirty-eighth street and both sides of One Hundred and Thirty-ninth and One Hundred and Fortieth streets, from Lenox to Madison avenue.

SEVENTH AVENUE—FLAGGING, east side, between One Hundred and Sixteenth and One Hundred and Eighteenth streets. Area of assessment: East side of Seventh avenue, between One Hundred and Sixteenth and One Hundred and Seventeenth streets.

EIGHTY-SIXTH STREET—BASIN, north side, about 275 feet east of East End avenue. Area of assessment: North side of Eighty-sixth street, between East End avenue and East river.

NINETY-FIRST STREET—PAVING, from Avenue A to the bulkhead-line of the East river. Area of assessment: Both sides of Ninety-first street, from Avenue A to the East river, and to the extent of half the block on the intersecting and terminating avenues.

NINETY-FIFTH STREET—PAVING, from First avenue to the bulkhead-line of the East river, and laying crosswalks. Area of assessment: Both sides of Ninety-fifth street, from First avenue to the East river, and to the extent of half the block on the intersecting and terminating avenues.

NINETY-SIXTH STREET—PAVING, from First avenue to the bulkhead-line of the East river, and LAYING CROSSWALKS. Area of assessment: Both sides of Ninety-sixth street, from First avenue to the East river, and to the extent of half the block on the intersecting and terminating avenues.

NINETY-EIGHTH STREET—PAVING, between Fourth and Fifth avenues. Area of assessment: Both sides of Ninety-eighth street, between Fourth and Fifth avenues, and to the extent of half the block on the intersecting and terminating avenues.

ONE HUNDREDTH STREET—PAVING, between Madison and Fifth avenues. Area of assessment: Both sides of One Hundredth street, between Madison and Fifth avenues, and to the extent of half the block on the terminating avenues.

ONE HUNDRED AND FIFTH STREET—PAVING, between the Boulevard and Riverside Drive. Area of assessment: Both sides of One Hundred and Fifth street, between the Boulevard and Riverside Drive, and to the extent of half the block on the intersecting and terminating avenues.

ONE HUNDRED AND SEVENTH STREET—PAVING, between Columbus and Amsterdam avenues. Area of assessment: Both sides of One Hundred and Seventh street, and to the extent of half the block on the terminating avenues.

ONE HUNDRED AND EIGHTH STREET—SEWER, between Manhattan and Columbus avenues. Area of assessment: Both sides of One Hundred and Eighth street, between Manhattan and Columbus avenues, east side of Columbus avenue and west side of Manhattan avenue, between One Hundred and Seventh and One Hundred and Eighth streets, and north side of One Hundred and Seventh street, between Manhattan and Columbus avenues.

ONE HUNDRED AND NINTH STREET—PAVING, from Central Park, West, to Riverside Drive (except between Manhattan and Columbus avenues). Area of assessment: Both sides of One Hundred and Ninth street from Central Park, West, to Riverside Drive (except between Manhattan and Columbus avenues), and to the extent of half the block on the intersecting and terminating avenues.

ONE HUNDRED AND ELEVENTH STREET—PAVING, between Fifth and Lenox avenues. Area of assessment: Both sides of One Hundred and Eleventh street, between Fifth and Lenox avenues, and to the extent of half the block on the terminating avenues.

ONE HUNDRED AND ELEVENTH STREET—FLAGGING AND CURBING, south side, commencing at Fifth avenue and extending eastward about one hundred feet. Area of assessment: Southeast corner of One Hundred and Eleventh street and Fifth avenue, on Lot No. 69 of Block 166.

ONE HUNDRED AND ELEVENTH STREET—PAVING, between Seventh and Manhattan avenues. Area of assessment: Both sides of One Hundred and Eleventh street, between Seventh and Manhattan avenues, and to the extent of half the block on the intersecting and terminating avenues.

ONE HUNDRED AND TWELFTH STREET—REGULATING, GRADING, CURBING AND FLAGGING, from Riverside Drive to Boulevard. Area of assessment: Both sides of One Hundred and Twelfth street, from Riverside Drive to Boulevard, and to the extent of half the block on the terminating avenues.

ONE HUNDRED AND TWENTIETH STREET—BASIN, northwest corner of Sylvan place. Area of assessment: North side of One Hundred and Twentieth street, from Lexington avenue to Sylvan place.

ONE HUNDRED AND FORTY-SECOND STREET—BASIN, between Hudson river and Boulevard. Area of assessment: Both sides of One Hundred and Forty-second street, from the Boulevard to the Hudson River Railroad tracks.

ONE HUNDRED AND FORTY-SIXTH STREET—PAVING, from the Boulevard to the New York Central and Hudson River Railroad tracks, and LAYING CROSSWALKS. Area of assessment: Both sides of One Hundred and Forty-sixth street, from the Boulevard to the New York Central and Hudson River Railroad, and to the extent of half the block on the Boulevard.

ONE HUNDRED AND FORTY-SEVENTH STREET—PAVING, from the Boulevard to the New York Central and Hudson River Railroad, and LAYING CROSSWALKS. Area of assessment: Both sides of One Hundred and Forty-seventh street, from the Boulevard to the New York Central and Hudson River Railroad, and to the extent of half the block on the Boulevard.

ONE HUNDRED AND FIFTY-EIGHTH, ONE HUNDRED AND FIFTY-NINTH AND ONE HUNDRED AND SIXTIETH STREETS—FLAGGING AND CURBING, between Amsterdam and Eleventh avenues. Area of assessment: Both sides of One Hundred and Fifty-eighth, One Hundred and Fifty-ninth and One Hundred and Sixtieth streets, between Amsterdam and Eleventh avenues.

ONE HUNDRED AND SIXTY-EIGHTH STREET—BASIN, northwest corner of Amsterdam avenue. Area of assessment: Block bounded One Hundred and Sixty-eighth and One Hundred and Sixty-ninth streets, Audubon and Amsterdam avenues.

ONE HUNDRED AND SIXTY-EIGHTH STREET—BASIN, southwest corner of Amsterdam avenue. Area of assessment: South side of One Hundred and Sixty-eighth street, between Amsterdam and Audubon avenues.

ONE HUNDRED AND SEVENTY-NINTH STREET—SEWERS, between Amsterdam avenue and Kingsbridge road, with CURVES in Eleventh and Audubon avenues. Area of assessment: Both sides of One Hundred and Seventy-ninth street, from Amsterdam avenue to Kingsbridge road; north side of One Hundred and Seventy-eighth street, from Amsterdam to Eleventh avenue; both sides of Audubon avenue, from One Hundred and Seventy-eighth to One Hundred and Seventy-ninth street; east side of Eleventh avenue, from One Hundred and Seventy-eighth to One Hundred and Eightieth street; and west side of Eleventh avenue, from One Hundred and Seventy-ninth to One Hundred and Eightieth street.

ST. NICHOLAS AVENUE—SEWER, east side, between One Hundred and Thirty-seventh and One Hundred and Forty-first streets. Area of assessment: East side of St. Nicholas avenue, between One Hundred and Thirty-seventh and One Hundred and Forty-first streets, also Lots 31, 41, 47, and 48 of Block 2048.

ST. NICHOLAS TERRACE—REGULATING, GRADING, CURBING AND FLAGGING, between One Hundred and Twenty-seventh and One Hundred and Thirtieth streets. Area of assessment: Both sides of St. Nicholas terrace, between One Hundred and Twenty-seventh and One Hundred and Thirtieth streets, and to the extent of half the block on the intersecting and terminating streets.

ST. NICHOLAS TERRACE—REGULATING, GRADING, CURBING, FLAGGING AND BUILDING RETAINING WALLS, from the south side of One Hundred and Thirtieth street to its junction with Convent avenue. Area of assessment: Both sides of St. Nicholas terrace, from the south side of One Hundred and Thirtieth street to Convent avenue, and to the extent of 100 feet to the east and west of St. Nicholas terrace; also to the extent of half the block on the intersecting streets.

SIXTEENTH WARD.
THIRTEENTH AVENUE—PAVING AND LAYING CROSSWALKS, from the north side of Sixteenth street to the north side of Seventeenth street. Area of assessment: East side of Thirteenth avenue, from Sixteenth street to a point about 95 feet north of Seventeenth street, and to the extent of half the block on the intersecting streets; also, west side of Thirteenth avenue, from Sixteenth street to a point about 107 feet north of Seventeenth street.

THIRTEENTH AVENUE—BASINS on the northeast and southeast corners of Seventeenth street. Area of assessment: East side of Thirteenth avenue 100 feet, north and south, respectively, of Seventeenth street, and both sides of Seventeenth street, between Eleventh and Thirteenth avenues.

NINETEENTH WARD.
FIRST AVENUE—SEWER, between Forty-seventh and Forty-eighth streets. Area of assessment: Both sides of First avenue, between Forty-seventh and Forty-eighth streets, excepting the northeast and northwest corners of First avenue and Forty-seventh street.

FORTY-SIXTH STREET—CURBING AND FLAGGING in front of Nos. 310 to 326 East Forty-sixth street. Area of assessment: South side of East Forty-sixth street, on Lots Nos. 40, 41, 42 and 43 of Block 1338.

EIGHTY-FOURTH STREET—FLAGGING AND CURBING, in front of No. 425 East Eighty-fourth street. Area of assessment: North side of Eighty-fourth street on Lot No. 12. Block 1564.

TWENTY-SECOND WARD.
SEVENTY-THIRD STREET—BASINS, northwest and southwest corners of Amsterdam avenue. Area of assessment: West side of Amsterdam avenue, from Seventy-second street to Seventy-fourth street.

SEVENTY-NINTH STREET—SEWER, both sides, between West End avenue and the Boulevard. Area of assessment: North side of Seventy-ninth street, extending 125 feet east of West End avenue, and south side of Seventy-ninth street, extending 150 feet east of West End avenue.

EIGHTY-FOURTH STREET—FENCING, south side, between Amsterdam avenue and the Boulevard. Area of assessment: South side of Eighty-fourth street, on Lots Nos. 38, 45 and 46 of Block 1338.

TWENTY-THIRD WARD.
BREMER AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS from Jerome avenue to Birch street. Area of assessment: Both sides of Bremer avenue, from Jerome avenue to Birch street, and to the extent of half the block on the intersecting streets.

FULTON AVENUE—BASIN, southeast corner of One Hundred and Sixty-eighth street. Area of assessment: East side of Fulton avenue, commencing at the southeast corner of One Hundred and Sixty-eighth street, and extending southerly therefrom about 250 feet; also south side of One Hundred and Sixty-eighth street, between Franklin and Fulton avenues.

JEROME AVENUE—BASINS, on the southeast corners of One Hundred and Sixty-fourth and One Hundred and Sixty-fifth street, also BASINS on the northeast and southeast corners of McClellan street. Area of assessment: East side of Jerome avenue, from One Hundred and Sixty-second to Cromwell avenue, and both sides of McClellan street, between Jerome and Cromwell avenues.

MONROE AVENUE—SEWER, between One Hundred and Seventy-third and Belmont streets. Area of assessment: Both sides of Monroe avenue, between One Hundred and Seventy-third and Belmont streets.

PROSPECT AVENUE—BASIN, northwest corner of Dawson street. Area of assessment: West side of Prospect avenue, between Dawson and One Hundred and Fifty-sixth streets; also, north side of Dawson street and south side of One Hundred and Fifty-sixth street, between Prospect and Union avenues.

WILLOW AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS, between One Hundred and Thirty-eighth street and the Bronx Kills. Area of assessment: Both sides of Willow avenue, between One Hundred and Thirty-eighth street and the Bronx Kills, and to the extent of half the blocks on the intersecting streets.

ONE HUNDRED AND THIRTY-FIFTH STREET—REGULATING, GRADING, CURBING AND FLAGGING, from the Southern Boulevard to Locust avenue. Area of assessment: Both sides of One Hundred and Thirty-fifth street, from the Southern Boulevard to Locust avenue, and to the extent of half the block on the intersecting and terminating avenues.

ONE HUNDRED AND SIXTIETH STREET—REGULATING, GRADING, CURBING AND FLAGGING, from Railroad avenue, West to Morris avenue. Area of assessment: Both sides of One Hundred and Sixtieth street, from Railroad avenue, West, to Morris avenue.

ONE HUNDRED AND SIXTY-SEVENTH STREET—SEWER, between Jerome and Gerard avenues. Area of assessment: Both sides of One Hundred and Sixty-seventh street, between Jerome and Gerard avenues, and east side of Jerome avenue, between One Hundred and Sixty-seventh street and a point about 440 feet north of One Hundred and Sixty-seventh street.

ONE HUNDRED AND SIXTY-NINTH STREET—SEWER, between Intervale avenue and One Hundred and Sixty-seventh street. Area of assessment: Both sides of One Hundred and Sixty-ninth street, from Intervale avenue to One Hundred and Sixty-seventh street; both sides of Tiffany street, from Intervale avenue to One Hundred and Sixty-seventh street; both sides of Barretto street, between One Hundred and Sixty-seventh and One Hundred and Sixty-ninth streets; and north side of One Hundred and Sixty-seventh street, from Barretto street to One Hundred and Sixty-ninth street.

ONE HUNDRED AND SIXTY-NINTH STREET—SEWER, from the west house-line of Franklin avenue to the summit in One Hundred and Sixty-ninth street, east of Franklin avenue; also, SEWER, in Franklin avenue, from One Hundred and Sixty-ninth street to the summit north of One Hundred and Sixty-ninth street.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.

PLIMPTON AVENUE—SEWER, between Boscobel avenue and Orchard street. Area of assessment: Both sides of Plimpton avenue, from Boscobel avenue to Orchard street.

LORILLARD PLACE—SEWER, between Pelham avenue and East One Hundred and Eighty-ninth street. Area of assessment: Both sides of Lorillard place, from Pelham avenue to East One Hundred and Eighty-ninth street.

ONE HUNDRED AND SEVENTY-SIXTH STREET—BASINS, on the northeast and southeast corners of Jerome avenue; also, BASIN on the west side of Jerome avenue, opposite One Hundred and Seventy-sixth street. Area of assessment: Both sides of One Hundred and Seventy-sixth street, between Jerome and Walton avenues; also, east side of Jerome avenue, between Mount Hope place and One Hundred and Seventy-fifth street.

ONE HUNDRED AND NINETY-FOURTH STREET—SEWER, between Webster and Marion avenues, with branch SEWER in Decatur avenue, extending from One Hundred and Ninety-fourth street to the street summit north of One Hundred and Ninety-fourth street. Area of assessment: Both sides of One Hundred and Ninety-fourth street, between Webster and Marion avenues, and both sides of Decatur avenue, from One Hundred and Ninety-fourth street to a point about 250 feet north of One Hundred and Ninety-fourth street.

ONE HUNDRED AND NINETY-FIFTH STREET—SEWER, between Webster and Decatur avenues, with branch SEWERS in Decatur avenue, extending from One Hundred and Ninety-fifth street to the summits north and south of One Hundred and Ninety-fifth street. Area of assessment: Both sides of One Hundred and Ninety-fifth street, between Webster and Marion avenues, and both sides of Decatur avenue, between One Hundred and Ninety-fifth street and the street summits north and south of One Hundred and Ninety-fifth street.

WEBSTER AVENUE—BASINS, northwest corner of One Hundred and Eighty-third street, and opposite Depot Square, South. Area of assessment: Lots numbered 37, 39, 42, 45, 46, 48, 49, 52, 55, 58, 61, 62, 65 and 66 of Block 969; also lots numbered 101, 106, 107, 109, 110, 116, 117, 118, 129, 131 and 132 of Block 1069.

—that the same were confirmed by the Board of Revision and Correction of Assessments on April 21, 1897, and entered the same date in the Record of Titles of Assessments Confirmed, 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 917 of said "New York City Consolidation Act of 1882."

Section 917 of the said act provides that, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated from the date of such entry to the date of payment."

The above assessments are payable to the Collector of Assessments and Clerk of Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, between the hours of 9 A.M. and 2 P.M., and all payments made thereon on or before June 30, 1897, 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 cent. per annum from the date of entry in the Record of Titles of Assessments in said Bureau to the date of payment.

ASHBEL P. FITCH, Comptroller.
CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, May 10, 1897.

PETER F. MEYER, AUCTIONEER.
SALE OF FERRY FRANCHISE.

THE FRANCHISE OF A FERRY FROM THE foot of Liberty street, North river, to Communipaw, New Jersey, together with the wharf property and land under water now used and occupied for ferry purposes, will be offered for sale by the Comptroller of the City of New York, at public auction to the highest bidder, at his office, Room 15, Stewart Building, No. 280 Broadway, on the 20th day of March, 1897, 12 M., for a term of five years from the 1st day of May, 1897, upon the following

TERMS AND CONDITIONS OF SALE.
The minimum or upset price for the franchise of the ferry is fixed at the sum of \$4,000 per annum. The annual rental of the wharf property and land under water owned by the City used and occupied for ferry purposes is appraised and fixed at the sum of \$1,000.

No bid will be received which shall be less than the minimum or upset price and value of said franchise and the annual rental for the wharf property and land under water as fixed above.

The highest bidder will be required to pay the auctioneer's fee and to deposit with the Comptroller at the time of sale the sum of two thousand five hundred (\$2,500) dollars, to be credited on the first quarter's rent, or to be forfeited to the City if the lease is not executed by the purchaser when notified that it is ready for execution.

The lessees will be required to give bonds in the penal sum of twenty thousand (\$20,000) dollars, with two sufficient sureties, to be approved by the Comptroller, conditioned for the faithful performance of the covenants and conditions of the lease and the payment of the rent quarterly in advance.

The lease will contain the usual covenants and conditions, in conformity with the provisions of law and the ordinances of the Common Council relative to ferries, and shall provide that the lessees will maintain and operate the ferry during the whole term and will provide ample accommodations in the way of safe and capacious boats and sufficiency of trips, as to the sufficiency of which accommodations the decision of the Mayor and Comptroller shall be final; also conditions that the lessees shall dredge the ferry slip, as required by the Department of Docks; that during the term of the lease they will erect and build, at their own expense, and will at all times well and sufficiently repair, maintain and keep in good order, all and singular, the floats, racks, fenders, bridges and other fixtures of the landing places, and in the event of any damage to the bulkheads or piers from collision by the ferry-boats or otherwise, from any accident or negligence on their part, they will immediately repair and restore said wharf property to its previous condition, free of cost to the City of New York; that if at any time during the term of the lease the Department of Docks shall require any of the wharf property used for ferry purposes in order to proceed with water-front improvement in the vicinity of the ferry landings, the said lessee shall surrender and vacate the premises, without any claim upon the City for any damages whatever, upon written notice being given to the lessees three months in advance of the intention of said Department; that sworn returns of the amounts of ferry receipts shall be made to the Comptroller when required by him and that the books of account of the ferry shall be subject to his inspection.

The lease will contain a covenant providing for the purchase, at a fair valuation, of the boats, buildings and other property of the lessees used in and actually necessary for the operation of said ferry upon the termination and surrender and delivery of the premises by the lessees, if the lessees shall not become the purchasers for another term, provided that the Mayor, Aldermen and Commonality of the City of New York shall not be deemed thereby to covenant to purchase said property in any event.

The rates of ferrage and charges for vehicles and freight shall not exceed the rates now charged. The form of lease which the purchaser will be required to execute can be seen at the office of the Comptroller. The right to reject any bid is reserved if deemed by the Comptroller to be for the interest of the City.

By order of the Commissioners of the Sinking Fund under a resolution adopted December 9, 1896.
CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, March 15, 1897.

ASHBEL P. FITCH, Comptroller.

The above sale is postponed to Monday, April 12, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, March 29, 1897.

The above sale is postponed to Monday, April 26, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, April 12, 1897.

The above sale is postponed to Monday, May 10, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, April 26, 1897.

The above sale is postponed to Tuesday, June 1, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, May 10, 1897.

PETER F. MEYER, AUCTIONEER.
SALE OF FERRY FRANCHISE.

THE FRANCHISE OF A FERRY FROM SOUTH street, New York, between Piers 2 and 3, East river, to a point between Twenty-eighth and Thirty-ninth streets, Gowanus Bay, Brooklyn, together with the wharf property and land under water now used and occupied by the New York and South Brooklyn Ferry and Transportation Company, will be offered for sale by the Comptroller of the City of New York at public auction, to the highest bidder, at his office, Room 15, Stewart Building, No. 280 Broadway, on the 29th day of March, 1897, 12 M., for a term of five years from the 1st day of May, 1897, upon the following

TERMS AND CONDITIONS OF SALE.
The minimum or upset price for the franchise of the ferry is five per cent. of the gross receipts for ferrage of passengers, vehicles, freight, etc., and the total amount of rental per annum shall not be less than \$7,000.

The annual rental of the wharf property and land under water now used and occupied by the New York and South Brooklyn Ferry and Transportation Company for ferry purposes is fixed at the sum of \$1.

No bid will be received which shall be less than the minimum or upset price and value of said franchise and the annual rental for the wharf property and land under water as fixed above.

The highest bidder will be required to pay the auctioneer's fee and to deposit with the Comptroller at the time of sale the sum of one thousand seven hundred and fifty dollars and twenty-five cents (\$1,750.25) to be credited on the first quarter's rent, or to be forfeited to the City if the lease is not executed by the purchaser when notified that it is ready for execution.

The lessees will be required to give bonds in the penal sum of fourteen thousand and two (\$14,002) dollars, with two sufficient sureties, to be approved by the Comptroller, conditioned for the faithful performance of the covenants and conditions of the lease and the payment of the rent quarterly in advance.

The lease will contain the usual covenants and conditions, in conformity with the provisions of law and the ordinances of the Common Council relative to ferries, and shall provide that the lessees will maintain and operate the ferry during the whole term and will provide ample accommodations in the way of safe and capacious boats and sufficiency of trips, as to the sufficiency of which accommodations the decision of the Mayor and Comptroller shall be final; also conditions that the lessees shall dredge the ferry slip, as required by the Department of Docks; that during the term of the lease they will erect and build, at their own expense, and will at all times well and sufficiently repair, maintain and keep in good order, all and singular, the floats, racks, fenders, bridges and other fixtures of the landing places, and in the event of any damage to the bulkheads or piers from collision by the ferry-boats or otherwise, from any accident or negligence on their part, they will immediately repair and restore said wharf property to its previous condition, free of cost to the City of New York, that if at any time during the term of the lease the Department of Docks shall require any of the wharf property used for ferry purposes in order to proceed with water-front improvement in the vicinity of the ferry landings, the said lessee shall surrender and vacate the premises, without any claim upon the City for any damages whatever, upon written notice being given to the lessees three months in advance of the intention of said Department; that sworn returns of the amounts of ferry receipts shall

be made to the Comptroller when required by him, and that the books of account of the ferry shall be subject to his inspection.

The lease will contain a covenant providing for the purchase at a fair valuation of the boats, buildings and other property of the lessees used in and actually necessary for the operation of said ferry upon the termination and surrender and delivery of the premises by the lessees, if the lessees shall not become the purchasers for another term, provided that the Mayor, Aldermen and Commonality of the City of New York shall not be deemed thereby to covenant to purchase said property in any event.

The rates of ferrage and charges for vehicles and freight shall not exceed the rates now charged.

The form of lease which the purchaser will be required to execute can be seen at the office of the Comptroller. The right to reject any bid is reserved if deemed by the Comptroller to be for the interest of the City.

By order of the Commissioners of the Sinking Fund, under a resolution adopted December 9, 1896.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, March 15, 1897.

ASHBEL P. FITCH, Comptroller.

The above sale is postponed to Monday, April 12, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, March 29, 1897.

The above sale is postponed to Monday, April 26, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, April 12, 1897.

The above sale is postponed to Monday, May 10, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, April 26, 1897.

The above sale is postponed to Tuesday, June 1, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, May 10, 1897.

PETER F. MEYER, AUCTIONEER.
SALE OF FERRY FRANCHISE.

THE FRANCHISE OF A FERRY FROM THE foot of Pine street, Pier 17, East river, to Long Island City, will be offered for sale by the Comptroller of the City of New York, at public auction, to the highest bidder, at his office, Room 15, Stewart Building, No. 280 Broadway, on the 29th day of March, 1897, at 12 M., for a term of five years from the 1st day of May, 1897, upon the following

TERMS AND CONDITIONS OF SALE.
The minimum or upset price for the franchise of the ferry is five per cent. of the gross receipts for ferrage of passengers, vehicles, freight, etc., and the total amount of said rental per annum shall not be less than \$500.

No bid will be received which shall be less than the minimum or upset price and value of said franchise as fixed above.

The highest bidder will be required to pay the auctioneer's fee and to deposit with the Comptroller at the time of sale the sum of one hundred and twenty-five (\$125) dollars to be credited on the first quarter's rent, or to be forfeited to the City if the lease is not executed by the purchaser when notified that it is ready for execution.

The lessees will be required to give bonds in the penal sum of one thousand (\$1,000) dollars, with two sufficient sureties, to be approved by the Comptroller, conditioned for the faithful performance of the covenants and conditions of the lease and the payment of the rent on the 1st day of October in each year.

The lease will contain the usual covenants and conditions, in conformity with the provisions of law and the ordinances of the Common Council relative to ferries, and shall provide that the lessees will maintain and operate the ferry during the whole term and will provide ample accommodations in the way of safe and capacious boats and sufficiency of trips, as to the sufficiency of which accommodations, the decision of the Mayor and Comptroller shall be final; that if at any time during the term of the lease the Department of Docks shall require any of the wharf property used for ferry purposes in order to proceed with water-front improvement in the vicinity of the ferry landings, the said lessee shall surrender and vacate the premises, without any claim upon the City for any damages whatever, upon written notice being given to the lessees three months in advance of the intention of said Department; that sworn returns of the amounts of ferry receipts shall be made to the Comptroller when required by him and that the books of account of the ferry shall be subject to his inspection.

The rates of ferrage and charges for vehicles and freight shall not exceed the rates now charged.

The form of lease which the purchaser will be required to execute can be seen at the office of the Comptroller.

The right to reject any bid is reserved if deemed by the Comptroller to be for the interest of the City.

By order of the Commissioners of the Sinking Fund, under a resolution adopted December 9, 1896.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, March 15, 1897.

ASHBEL P. FITCH, Comptroller.

The above sale is postponed to Monday, April 12, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, March 29, 1897.

The above sale is postponed to Monday, April 26, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, April 12, 1897.

The above sale is postponed to Monday, May 10, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, April 26, 1897.

The above sale is postponed to Tuesday, June 1, 1897, at the same hour and place.

ASHBEL P. FITCH, Comptroller.

CITY OF NEW YORK—FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, May 10, 1897.

COMMISSIONERS OF THE SINKING FUND.

THE SINKING FUND COMMISSIONERS WILL sell at public auction, on the premises, to the highest bidder, on the 24th day of May, 1897, at 12 o'clock noon, by PETER F. MEYER, auctioneer, all the certain buildings and parts of building upon the premises situated on the northeast corner of Madison avenue and Twenty-fifth street, said premises being about 40 feet on Madison avenue and 150 feet on Twenty-fifth street. One of the said buildings being on the corner of Twenty-fifth street and Madison avenue, about 30 feet in width built of brick, and the other of said buildings being about 19 feet in width on Madison avenue, built of brown stone and brick, and adjoining the building on the corner. Also all the outbuildings, stable, etc., on rear of said lots.

TERMS OF SALE.
The auctioneer's fees and twenty-five per cent. of the purchase money must be paid in cash at the time and place of sale, and the balance of the purchase money before 12 o'clock noon, on the next day after the day of the sale, at the office of the Comptroller, 280 Broadway. All the buildings and their foundations of every class and description within the heretofore described area are to be torn down to the level of the existing curb, and all materials of every kind and description must be,

within the time hereinafter mentioned, removed by the purchaser, except such rubbish as can be handled with the shovel, which must be left upon the premises above described.

All permits necessary must be obtained and paid for by the purchaser, and the said purchaser must comply with all the corporation ordinances, the State and other laws, protect all persons using the streets during the tearing down of the buildings and removing of materials, and will be liable for all penalties and all damage to life, limb or property that may occur through his operations on or near the premises, and must indemnify and save harmless the City of New York and from all liability in consequence of any act of the said purchaser or of his agents, employees or workmen, while he or they are in possession of the premises or engaged in the tearing down of said buildings or removal of said materials.

All walls and rubbish of every kind must be freely sprinkled during the progress of the work.

The purchaser must commence operations within five days after day of sale, and must have the work entirely completed within twenty days from the day of sale—the purchaser to pay to the City of New York twenty-five dollars per day as liquidated damages and not as a penalty, for each and every day that the said purchaser shall occupy in removing the said buildings and materials in excess of the said time of twenty days.

The said purchaser shall sign the present terms of sale and agree to be bound thereby, and for the securing of the removal of the said buildings, materials, etc., hereinafter mentioned, and as security for the performance of this agreement on his part, the purchaser will be required, at the time of said sale and the award of the property to him, to execute a bond in the penalty of \$3,000, and in such form and with such sureties as may be approved by the Comptroller of the City of New York.

The form of bond to be executed by the purchaser may be seen at the office of the Comptroller, Stewart Building, No. 280 Broadway, where permits to inspect the property between the hours of eleven and twelve A. M. upon the dates of May 18 and 19, 1897, may be obtained.

By order of the Commissioners of the Sinking Fund, by resolution adopted May 6, 1897.

CITY OF NEW YORK, FINANCE DEPARTMENT, May 11, 1897.

ASHBEL P. FITCH, Comptroller.

TO CONTRACTORS.
PROPOSALS FOR FURNISHING MATERIALS AND PERFORMING WORK REQUIRED FOR THE FURNISHING AND EQUIPMENT OF THE PUBLIC BUILDING IN CROTONA PARK, FOR THE USE OF THE COMMISSIONER OF STREET IMPROVEMENTS OF THE TWENTY-THIRD AND TWENTY-FOURTH WARDS, PURSUANT TO CHAPTER 720, LAWS OF 1896, AND AS AUTHORIZED BY THE COMMISSIONERS OF THE SINKING FUND AT THEIR MEETING HELD FEBRUARY 8, 1897.

SEALED ESTIMATES FOR THE ABOVE work, indorsed with the above title, also with the name of the person or persons making the same, and the date of presentation, will be received at the office of the Comptroller, Rooms Nos. 14 and 15, Finance Department, Stewart Building, No. 280 Broadway, in the City of New York, until 12 o'clock M., Friday, May 21, 1897, at which place and hour the bids will be publicly opened by and in the presence of the Commissioners of the Sinking Fund, and read, and the award of the contract, if awarded, will be made to the lowest bidder, with adequate security, as soon thereafter as practicable.

The person or persons to whom the contract may be awarded will be required to attend at the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards, with the sureties offered by him or them, and execute the contract within five days from the date of the service of a notice to that effect, and in case of failure or neglect to do so, he or they will be considered as having abandoned it and as in default to the Corporation, and thereupon the work shall be readvertised and relet, and so on until the contract be accepted and executed; the work to commence at such time as the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards may designate.

N. B.—Permission will not be given for the withdrawal of any bid or estimate. No bid will be accepted from, or contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

Bidders are required to state in their estimates, under oath, their names and places of residence, the names of all persons interested with them therein, and if no other person be so interested they shall distinctly state the fact; also that it is made without any connection with any other person making any bid or estimate for the same purpose, and that it is in all respects fair and without collusion or fraud; and also that no member of the Common Council, head of a department, chief of a bureau, deputy thereof or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein or in the supplies or work to which it relates, or in any portion of the profits thereof. Where more than one person is interested it is requisite that the verification be made and subscribed by all the parties interested.

Each estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate, they will, upon its being so awarded, become bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same they will pay to the Corporation any difference between the sum to which he would be entitled upon its completion and that which the Corporation may be obliged to pay to the persons to whom the contract shall be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract, and stated in the proposals, over and above his liabilities as bail, surety or otherwise; that he has offered himself as a surety in good faith and with an intention to execute the bond required by law. The adequacy and sufficiency of the security offered is to be determined by the Comptroller after the award is made and prior to the signing of the contract.

For the nature and extent of the work to be done bidders are referred to the drawings and the specifications. The drawings may be seen at the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards, Third Avenue and One Hundred and Seventy-seventh street.

The entire work is to be completed within THIRTY DAYS after the notice to commence work has been given by the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards.

The damages to be paid by the contractor for each day that the contract may be unfulfilled after the time specified for the completion thereof shall have expired are, by a clause in the contract, fixed and liquidated at Twenty Dollars per day.

Bidders will state, in writing, and also in figures, a price for the whole work complete, which price is to cover the furnishing of all necessary materials and labor and the performance of all work set forth in the specifications and form of agreement hereto annexed.

No estimate will be considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days

after the contract is awarded. If the successful bidder shall refuse or neglect within five days after notice that the contract has been awarded to him to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal, but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

The amount of security required is Six Thousand Dollars.

Blank forms of estimates, also form of agreement, including the specifications for the work, can be had at Room 12, Comptroller's Office, No. 280 Broadway, and further information, if desired, can be obtained on application at the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards, Third Avenue and One Hundred and Seventy-seventh Street.

WILLIAM L. STRONG, Mayor; JOHN W. GOFF, Recorder; ASHBEL P. FITCH, Comptroller; ANSON G. MCCOOK, Chamberlain; JOHN T. OAKLEY, Chairman, Committee on Finance, Board of Aldermen, Commissioners of the Sinking Fund.
NEW YORK, May 7, 1897.

DEPARTMENT OF DOCKS.

(WORK OF CONSTRUCTION UNDER THE NEW PLAN.)
TO CONTRACTORS. (No. 588.)
PROPOSALS FOR ESTIMATES FOR PREPARING FOR PAVING AND REPAVING THE NEWLY-MADE LAND AND MARGINAL STREET, WHARF OR PLACE IN THE VICINITY OF PIER AT THE FOOT OF EAST ONE HUNDRED AND SIXTEENTH STREET, HARLEM RIVER, WITH GRANITE OR STATEN ISLAND SYENITE BLOCKS, LAYING CROSSWALKS AND SETTING CURBS.

ESTIMATES FOR PREPARING FOR, PAVING and repaving the above-described area with granite or Staten Island syenite blocks, laying crosswalks and setting curbs, will be received by the Board of Commissioners at the head of the Department of Docks, at the office of said Department, on Pier "A," foot of Battery place, North river, in the City of New York, until 12 o'clock M. of

TUESDAY, MAY 25, 1897, at which time and place the estimates will be publicly opened by the head of said Department. The award of the contract, if awarded, will be made as soon as practicable after the opening of the bids.

Any person making an estimate for the work shall furnish the same in a sealed envelope to said Board, at said office, on or before the day and hour above named, which envelope shall be indorsed with the name or names of the person or persons presenting the same, the date of its presentation and a statement of the work to which it relates.

The bidder to whom the award is made shall give security for the faithful performance of the contract, in the manner prescribed and required by ordinance, in the sum of One Thousand Six Hundred Dollars.

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

About 227 square yards of recently laid granite-block pavement to be taken up and relaid, with cement joints.

About 906 square yards of new granite-block pavement to be furnished and laid, with cement joints.

About 1,032 square feet of new bridge-stones to be furnished and set.

About 3,666 gallons of paving cement.

About 130 cubic yards of sand for paving.

About 73 cubic yards of gravel for paving.

Three manhole-heads to be removed and reset.

About 64 lineal feet of old curb-stones to be taken up, recut and reset.

About 80 lineal feet of 5-inch blue-stone curbing to be furnished and set.

About 120 cubic yards of earth excavation, of which about 54 cubic yards will be required as back-filling. The remaining about 66 cubic yards will be removed by the contractor from the premises.

Labor of every class and description for about 1,248 square yards of paving, including crosswalks, and labor for curbs and sewer.

N. B.—As the above-mentioned quantities, though stated with as much accuracy as is possible in advance, are approximate only, bidders are required to submit their estimates upon the following express conditions, which shall apply to and become a part of every estimate received:

1st. Bidders must satisfy themselves, by personal examination of the location of the proposed work, and by such other means as they may prefer, as to the accuracy of the foregoing Engineer's estimate, and shall not at any time after the submission of an estimate dispute or complain of the above statement of quantities, nor assert that there was any misunderstanding in regard to the nature or amount of the work to be done.

2d. Bidders will be required to complete the entire work to the satisfaction of the Department of Docks and in substantial accordance with the specifications of the contract and the plans therein referred to. No extra compensation beyond the amount payable for the work before mentioned, which shall be actually performed at the price therefor, to be specified by the lowest bidder, shall be due or payable for the entire work.

The work to be done under this contract is to be commenced within five days after the date of the receipt of a notification from the Engineer-in-Chief of the Department of Docks that the work is ready to be begun, and all the work to be done under the contract is to be fully completed on or before the expiration of forty-five days after the date of the service of said notification, and the damages to be paid by the contractor for each day that the contract, or any part thereof, may be unfulfilled after the time fixed for the fulfillment thereof has expired are, by a clause in the contract, determined, fixed and liquidated at Fifty Dollars per day.

All the old flag-stones to be removed under this contract by the contractor will be relinquished to the contractor by the Department of Docks.

All surplus material excavated will be removed by the contractor.

Where the City of New York owns the wharf, pier or bulkhead, and the same is not leased, at which materials under this contract are to be delivered, no charge will be made to the contractor for wharfage upon vessels conveying said materials.

Bidders will state in their estimates a price for the whole of the work to be done in conformity with the approved form of agreement and the specifications therein set forth, by which price the bids will be tested. This price is to cover all expenses of every kind involved in or incidental to the fulfillment of the contract, including any claim that may arise through delay, from any cause, in the performing of the work thereunder. The award of the contract, if awarded, will be made to the bidder who is the lowest for doing the whole of the work and whose estimate is regular in all respects.

Bidders will distinctly write out, both in words and in figures, the amount of their estimates for doing this work. The person or persons to whom the contract may be awarded will be required to attend at this office with the sureties offered by him or them and execute the contract within five days from the date of the service of a notice to that effect, and in case of failure or neglect to do so he or they will be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet, and so on until it be accepted and executed.

Bidders are required to state in their estimates their names and places of residence, the names of all persons interested with them therein, and if no other person be so interested the estimate shall distinctly state the fact; also that the estimate is made without any consultation, connection or agreement with, and the amount thereof has not been disclosed to, any other person or persons making an estimate for the same purpose, and is not higher than the lowest regular market price for the same kind of labor or material, and is in all respects fair and without collusion or fraud; that no combination or pool exists of which the bidder is a member, or in which the

bidder is directly or indirectly interested, or of which the bidder has knowledge, either personal or otherwise, to bid a certain price, or not less than a certain price, for said labor or material, or to keep others from bidding thereon, and also that no member of the Common Council, Head of a Department, Chief of a Bureau, Deputy thereof or Clerk therein, or any other officer or employee of the Corporation of the City of New York, or any of its Departments, is directly or indirectly interested in the estimate or in the supplies or work to which it relates, or in any portion of the profits thereof, and has not been given, offered or promised, either directly or indirectly, any pecuniary or other consideration by the bidder or anyone in his behalf with a view to influencing the action or judgment of such officer or employee in this or any other transaction heretofore had with this Department, which estimate must be verified by the oath, in writing, of the party making the estimate, that the several matters stated therein are in all respects true. *Where more than one person is interested it is requisite that the verification be made and subscribed to by all the parties interested.*

In case a bid shall be submitted by or in behalf of any corporation, it must be signed in the name of such corporation by some duly authorized officer or agent thereof, who shall also subscribe his own name and office. If practicable, the seal of the corporation should also be affixed.

Each estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person or persons making the estimate, they will, upon its being so awarded, become bound as his or their sureties for its faithful performance, and that if said person or persons shall omit or refuse to execute the contract, they will pay to the Corporation of the City of New York any difference between the sum to which said person or persons would be entitled upon its completion and that which said Corporation may be obliged to pay to the person to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work to be done by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York and is worth the amount of the security required for the completion of the contract, over and above all his debts of every nature and over and above his liabilities as bail, surety and otherwise; and that he has offered himself as surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered will be subject to approval by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.

No estimate will be received or considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Bidders are informed that no deviation from the specifications will be allowed unless under the written instructions of the Engineer-in-Chief.

No estimate will be accepted from, or contract awarded to, any person who is in arrears to the Corporation, upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

In case there are two or more bids at the same price, which price is the lowest price bid, the contract, if awarded, will be awarded by lot to one of the lowest bidders.

THE RIGHT TO DECLINE ALL THE ESTIMATES IS RESERVED IF DEEMED FOR THE INTEREST OF THE CORPORATION OF THE CITY OF NEW YORK.

Bidders are requested, in making their bids or estimates, to use the blank prepared for that purpose by the Department, a copy of which, together with the form of the agreement, including specifications, and showing the manner of payment for the work, can be obtained upon application therefor at the office of the Department.
EDWARD C. O'BRIEN, EDWIN EINSTEIN,
JOHN MONKS, Commissioners of the Department of Docks.

Dated NEW YORK, April 15, 1897.

TO CONTRACTORS. (No. 585.)
PROPOSALS FOR ESTIMATES FOR FURNISHING AND DELIVERING STATIONERY AND PRINTED AND LITHOGRAPHED FORMS, ETC.

ESTIMATES FOR FURNISHING AND DELIVERING Stationery and Printed and Lithographed Forms, etc., will be received by the Board of Commissioners at the head of the Department of Docks, at the office of said Department, on Pier "A," foot of Battery place, North river, in the City of New York, until 12 o'clock M. of

TUESDAY, MAY 25, 1897, at which time and place the estimates will be publicly opened by the head of said Department. The award of the contract, if awarded, will be made as soon as practicable after the opening of the bids.

Any person making an estimate for the work shall furnish the same in a sealed envelope to said Board, at said office, on or before the day and hour above named, which envelope shall be indorsed with the name or names of the person or persons presenting the same, the date of its presentation, and a statement of the work to which it relates.

The bidder to whom the award is made shall give security for the faithful performance of the contract, in the manner prescribed and required by ordinance, in the sum of Seven Hundred and Fifty Dollars for Class I.; Eight Hundred and Sixty Dollars for Class II.

In case an estimate is made for more than one class, each bondsman must justify in an amount equal to the aggregate amount required.

Estimates may be made for one or two classes, and separate estimates must be made for each class.

N. B.—Bidders are required to submit their estimates upon the following express conditions, which shall apply to and become a part of every estimate received, viz.:

1st. Bidders must satisfy themselves, by personal examination of the samples and descriptions to be found at the office of the Secretary of the Board of Docks, Pier "A," Battery place, North river, as to the character, weight and quality of material and workmanship, and shall not, at any time after the submission of an estimate, assert that there was any misunderstanding in regard to the nature or amount of the work to be done.

2d. Bidders will be required to complete the entire work to the satisfaction of the Department of Docks, and in substantial accordance with the specifications of the contract. No extra compensation, beyond the amount payable for the work and material before mentioned, which shall be actually performed and furnished, at the price therefor, to be specified by the lowest bidder, shall be due or payable for the entire work.

The materials are to be delivered at Pier "A," Battery place, North river, from time to time, and in such quantities and at such times as may be directed by the Secretary, and all the work under this contract is to be fully completed on or before the 1st day of May, 1898, at which time this contract will cease and terminate.

The damages to be paid by the contractor for each day

that the contract, or any part thereof, or of any delivery that may be ordered or directed by the Secretary, may be unfulfilled after the respective times fixed for the fulfillment thereof have expired are, by a clause in the contract, determined, fixed and liquidated at Fifty Dollars per day.

Bidders will state in their proposals a price for each of the classes of materials, in conformity with the approved form of agreement and the specifications therein set forth, by which price the bids will be tested. This price is to cover all expenses of every kind involved in or incidental to the fulfillment of the contract, including any claim that may arise through delay, from any cause, in the receiving of the material by the Department of Docks.

Bidders will distinctly write out, both in words and in figures, the amount of their estimates for furnishing this material.

The person or persons to whom the contract may be awarded will be required to attend at this office with the sureties offered by him or them and execute the contract within five days from the date of the service of a notice to that effect, and in case of failure or neglect to do so, he or they will be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet, and so on until it be accepted and executed.

Bidders are required to state in their estimates their names and places of residence, the names of all persons interested with them therein, and if no other person be so interested the estimate shall distinctly state the fact; also that the estimate is made without any consultation, connection or agreement with, and the amount thereof has not been disclosed to, any other person or persons making an estimate for the same purpose, and is not higher than the lowest regular market price for the same kind of labor or material, and is in all respects fair and without collusion or fraud; that no combination or pool exists of which the bidder is a member, or in which the bidder is directly or indirectly interested, or of which the bidder has knowledge, either personal or otherwise, to bid a certain price, or not less than a certain price, for said labor or material, or to keep others from bidding thereon, and also that no member of the Common Council, Head of a Department, Chief of a Bureau, Deputy thereof, or Clerk therein, or any other officer or employee of the Corporation of the City of New York, or any of its Departments, is directly or indirectly interested in the estimate, or in the supplies or work to which it relates, or in any portion of the profits thereof, and has not been given, offered or promised, either directly or indirectly, any pecuniary or other consideration by the bidder, or anyone in his behalf, with a view to influencing the action or judgment of such officer or employee in this or any other transaction heretofore had with this Department, which estimate must be verified by the oath, in writing, of the party making the estimate that the several matters stated therein are in all respects true. *Where more than one person is interested it is requisite that the verification be made and subscribed to by all the parties interested.*

In case a bid shall be submitted by or in behalf of any corporation, it must be signed in the name of such corporation by some duly authorized officer or agent thereof, who shall also subscribe his own name and office. If practicable, the seal of the corporation should also be affixed.

Each estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person or persons making the estimate, they will, upon its being so awarded, become bound as his or their sureties for its faithful performance, and that if said person or persons shall omit or refuse to execute the contract, they will pay to the Corporation of the City of New York any difference between the sum to which said person or persons would be entitled upon its completion and that which said Corporation may be obliged to pay to the person to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the material to be delivered, by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of the contract over and above all his debts of every nature and over and above his liabilities as bail, surety and otherwise; and that he has offered himself as a surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered will be subject to approval by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.

No estimate will be received or considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Bidders are informed that no deviation from the specifications will be allowed unless under the written instructions of the Secretary.

No estimate will be accepted from, or contract awarded to, any person who is in arrears to the Corporation, upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

THE RIGHT TO DECLINE ALL THE ESTIMATES IS RESERVED IF DEEMED FOR THE INTEREST OF THE CORPORATION OF THE CITY OF NEW YORK.

Bidders are requested, in making their bids or estimates, to use the blank prepared for that purpose by the Department, a copy of which, together with the form of the agreement, including specifications, and showing the manner of payment for the work, can be obtained upon application therefor at the office of the Department.

EDWARD C. O'BRIEN, EDWIN EINSTEIN,
JOHN MONKS, Commissioners of the Department of Docks.

Dated NEW YORK, April 15, 1897.

(WORK OF CONSTRUCTION UNDER THE NEW PLAN.)

TO CONTRACTORS. (No. 586.)
PROPOSALS FOR ESTIMATES FOR PREPARING FOR PAVING AND REPAVING THE NEWLY-MADE LAND IN THE VICINITY OF BARCLAY STREET FERRY, NORTH RIVER, WITH GRANITE OR STATEN ISLAND SYENITE BLOCKS, LAYING CROSSWALKS AND BUILDING THE NECESSARY DRAINS OR SEWERS AND APPURTENANCES.

ESTIMATES FOR PREPARING FOR, PAVING and repaving the above-described area with granite or Staten Island syenite blocks, laying crosswalks and building the necessary drains or sewers and appurtenances, will be received by the Board of Commissioners at the head of the Department of Docks, at the office of said Department, on Pier "A," foot of Battery place, North river, in the City of New York, until 12 o'clock M. of

TUESDAY, MAY 25, 1897, at which time and place the estimates will be publicly opened by the head of said Department. The award of the contract, if awarded, will be made as soon as practicable after the opening of the bids.

Any person making an estimate for the work shall furnish the same in a sealed envelope to said Board, at said office, on or before the day and hour above named, which envelope shall be indorsed with the name or names of the person or persons presenting the same, the date of its presentation, and a statement of the work to which it relates.

The bidder to whom the award is made shall give security for the faithful performance of the contract, in the manner prescribed and required by ordinance, in the sum of Three Thousand Five Hundred Dollars.

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

About 614 square yards of recently laid granite-block pavement to be taken up and relaid, with cement joints.

About 1,584 square yards of new granite-block pavement to be furnished and laid, with cement joints.

About 2,398 square feet of new bridge-stones to be furnished and set.

About 9,100 gallons of paving cement.

About 317 cubic yards of sand for paving.

About 169 cubic yards of gravel for paving.

About 1,272 pounds of cast-iron silt-basins and covers to be furnished and set.

1 manhole-head to be removed and reset.

About 24 lineal feet of cast-iron pipe-sewer, with lead joints, to be built, requiring about 80 pounds of straight pipe.

Labor of every class and description for about 2,564 square yards of paving, including crosswalks, and labor for curbs and sewer.

N. B.—As the above-mentioned quantities, though stated with as much accuracy as is possible, *in advance*, are approximate only, bidders are required to submit their estimates upon the following express conditions, which shall apply to and become a part of every estimate received:

1st. Bidders must satisfy themselves, by personal examination of the location of the proposed work, and by such other means as they may prefer, as to the accuracy of the foregoing Engineer's estimate, and shall not at any time after the submission of an estimate dispute or complain of the above statement of quantities, nor assert that there was any misunderstanding in regard to the nature or amount of the work to be done.

2d. Bidders will be required to complete the entire work to the satisfaction of the Department of Docks and in substantial accordance with the specifications of the contract and the plans therein referred to. No extra compensation beyond the amount payable for the work before mentioned, which shall be actually performed at the price therefor, to be specified by the lowest bidder, shall be due or payable for the entire work.

The work to be done under the contract is to be commenced within five days after the date of the receipt of a notification from the Engineer-in-Chief of the Department of Docks that the work is ready to be begun, and all the repaving, and all the work to be done on the north half of the north gangway, on the south half of the south gangway, and on the area between the gangways, are to be fully completed within forty-five days after the date of the service of the said notification, and the remainder of the work to be done under the contract is to be fully completed within twenty-one days from the date of the receipt of a notification from the Engineer-in-Chief that the remainder of the work is ready to be begun; and the damages to be paid by the contractor for each day that the contract may be unfulfilled after the time fixed for the fulfillment thereof has expired are, by a clause in the contract, determined, fixed and liquidated at Fifty Dollars per day.

All surplus material excavated will be removed by the contractor.

Where the City of New York owns the wharf, pier or bulkhead, and the same is not leased, at which materials under this contract are to be delivered, no charge will be made to the contractor for wharfage upon vessels conveying said materials.

Bidders will state in their estimates a price for the whole of the work to be done, in conformity with the approved form of agreement and the specifications therein set forth, by which price the bids will be tested. This price is to cover all expenses of every kind involved in or incidental to the fulfillment of the contract, including any claim that may arise through delay, from any cause, in the performing of the work thereunder. The award of the contract, if awarded, will be made to the bidder who is the lowest for doing the whole of the work, and whose estimate is regular in all respects.

Bidders will distinctly write out, both in words and in figures, the amount of their estimates for doing the work.

The person or persons to whom the contract may be awarded will be required to attend at this office, with the sureties offered by him or them, and execute the contract within five days from the date of the service of a notice to that effect, and in case of failure or neglect so to do he or they will be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet, and so on until it be accepted and executed.

Bidders are required to state in their estimates their names and places of residence, the names of all persons interested with them therein, and if no other person be so interested the estimate shall distinctly state the fact; also that the estimate is made without any consultation, connection or agreement with, and the amount thereof has not been disclosed to, any other person or persons making an estimate for the same purpose, and is not higher than the lowest regular market price for the same kind of labor or material, and is in all respects fair and without collusion or fraud; that no combination or pool exists of which the bidder is a member, or of which the bidder has knowledge, either personal or otherwise, to bid a certain price, or not less than a certain price, for said labor or material, or to keep others from bidding thereon; and also that no member of the Common Council, Head of a Department, Chief of a Bureau, Deputy thereof, or Clerk therein, or any other officer or employee of the Corporation of the City of New York, or any of its departments, is directly or indirectly interested in the estimate or in the supplies or work to which it relates, or in any portion of the profits thereof, and has not been given, offered or promised, either directly or indirectly, any pecuniary or other consideration by the bidder, or anyone in his behalf, with a view to influencing the action or judgment of such officer or employee in this or any other transaction heretofore had with this Department, which estimate must be verified by the oath, in writing, of the party making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested it is requisite that the verification be made and subscribed to by all the parties interested.

In case a bid shall be submitted by or in behalf of any corporation, it must be signed in the name of such corporation by some duly authorized officer or agent thereof, who shall also subscribe his own name and office. If practicable, the seal of the corporation should also be affixed.

Each estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person or persons making the estimate, they will, upon its being so awarded, become bound as his or their sureties for its faithful performance, and that if said person or persons shall omit or refuse to execute the contract, they will pay to the Corporation of the City of New York any difference between the sum to which said person or persons would be entitled upon its completion and that which said Corporation may be obliged to pay to the person to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the work to be done by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York and is worth the amount of the security required for the completion of the contract, over and above all his debts of every nature and over and above his liabilities as bail, surety and

otherwise, and that he has offered himself as surety in good faith and with the intention to execute the bond required by law. The adequacy and sufficiency of the security offered will be subject to approval by the Comptroller of the City of New York after the award is made and prior to the signing of the contract.

No estimate will be received or considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Bidders are informed that no deviation from the specifications will be allowed unless under the written instructions of the Engineer-in-Chief.

No estimate will be accepted from or contract awarded to any person who is in arrears to the Corporation, upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

In case there are two or more bids at the same price, which price is the lowest price bid, the contract, if awarded, will be awarded by lot to one of the lowest bidders.

THE RIGHT TO DECLINE ALL THE ESTIMATES IS RESERVED IF DEEMED FOR THE INTEREST OF THE CORPORATION OF THE CITY OF NEW YORK.

Bidders are requested, in making their bids or estimates, to use the blank prepared for that purpose by the Department, a copy of which, together with the form of the agreement, including specifications, and showing the manner of payment for the work, can be obtained upon application therefor at the office of the Department.

EDWARD C. O'BRIEN, EDWIN EINSTEIN, JOHN MONKS, Commissioners of the Department of Docks.

Dated New York, April 15, 1897.

DEPARTMENT OF CORRECTION.

DEPARTMENT OF CORRECTION, NEW YORK, May 12, 1897.

PROPOSALS FOR MATERIALS AND WORK REQUIRED FOR BUILDINGS, APPARATUS, FIXTURES, ETC., AT RIKER'S ISLAND, NEW YORK CITY.

SEALED BIDS OR ESTIMATES FOR MATERIALS AND WORK required for buildings, apparatus, fixtures, etc., at Riker's Island, New York City, in conformity with specifications, will be received at the office of the Department of Correction, No. 148 East Twentieth street, in the City of New York, until 10 o'clock A. M. of Monday, May 24, 1897.

The person or persons making any bid or estimate shall furnish the same in a sealed envelope, indorsed "Bid or Estimate for Buildings, Apparatus, etc., at Riker's Island, New York City," with his or their name or names, and the date of presentation, to the head of said Department, at the said office, on or before the day and hour above named, at which time and place the bids or estimates received will be publicly opened by the Commissioner, or his duly authorized agent, of said Department and read.

THE COMMISSIONER OF THE DEPARTMENT OF CORRECTION RESERVES THE RIGHT TO REJECT ALL BIDS OR ESTIMATES IF DEEMED TO BE FOR THE PUBLIC INTEREST, AS PROVIDED BY SECTION 64, CHAPTER 410, LAWS OF 1882.

No bid or estimate will be accepted from, or contract awarded to, any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

The award of the contract will be made as soon as practicable after the opening of the bids.

Any bidder for this contract must be known to be engaged in and well prepared for the business, and must have satisfactory testimonials to that effect, and the person or persons to whom the contract may be awarded will be required to give security for the performance of the contract, by his or their bond, with two sufficient sureties, each in the penal amount of TWENTY THOUSAND (20,000) DOLLARS.

Each bid or estimate shall contain and state the name and place of residence or place of business of each of the persons making the same, the names of all persons interested with him or them therein, and if no other person be so interested it shall distinctly state that fact; also that it is made without any connection with any other person making an estimate for the same purpose and is in all respects fair and without collusion or fraud, and that no member of the Common Council, head of a department, chief of a bureau, deputy thereof or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the work to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested, it is requisite that the verification be made and subscribed by all the parties interested.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders or surety companies in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate, they will, on its being so awarded, become bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same they shall pay to the Corporation any difference between the sum to which he would be entitled on its completion and that which the Corporation may be obliged to pay to the person or persons to whom the contract may be awarded at any subsequent letting; the amount in each case to be calculated upon the estimated amount of the supplies by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York, and is worth the amount of the security required for the completion of this contract over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise, and that he has offered himself as a surety in good faith and with the intention to execute the bond required by section 12 of chapter 7 of the Revised Ordinances of the City of New York, if the contract shall be awarded to the person or persons for whom he consents to become surety. The adequacy and sufficiency of the security offered is to be approved by the Comptroller of the City of New York.

No bid or estimate will be considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after

notice that the contract has been awarded to him to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Should the person or persons to whom the contract may be awarded neglect or refuse to accept the contract within five days after written notice that the same has been awarded to him or their bid or proposal, or if he or they accept but do not execute the contract and give the proper security, he or they shall be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet as provided by law.

The work and materials must conform in every respect to the printed specifications and plans. Bidders are cautioned to examine the specifications for particulars of the articles, etc., required, before making their estimates; work to be completed in NINETY WORKING DAYS.

Bidders will write out the amount of their estimates in addition to inserting the same in figures.

Payment will be made by a requisition on the Comptroller, in accordance with the terms of the contract.

The form of the contract, including specifications, and plans, and showing the manner of payment, will be furnished at the office of the Department and by George M. Walgrove, Architect, No. 42 East Twenty-third street, New York City, and bidders are cautioned to examine each and all of its provisions carefully, as the Commissioner of the Department of Correction will insist upon its absolute enforcement in every particular.

ROBERT J. WRIGHT, Commissioner.

DEPARTMENT OF CORRECTION, NEW YORK, April 29, 1897.

PROPOSALS FOR MATERIALS AND WORK REQUIRED IN THE ADDITIONS AND ALTERATIONS TO THE BLACKWELL'S ISLAND PENITENTIARY, NEW YORK CITY.

SEALED BIDS OR ESTIMATES FOR MATERIALS AND WORK required in the additions and alterations to the Blackwell's Island Penitentiary, New York City, in conformity with specifications, will be received at the office of the Department of Correction, No. 148 East Twentieth street, in the City of New York, until 10 o'clock A. M. of Tuesday, May 18, 1897.

The person or persons making any bid or estimate shall furnish the same in a sealed envelope, indorsed "Bid or Estimate for Blackwell's Island Penitentiary, New York City," with his or their name or names, and the date of presentation, to the head of said Department, at the said office, on or before the day and hour above named, at which time and place the bids or estimates received will be publicly opened by the Commissioner, or his duly authorized agent, of said Department and read.

THE COMMISSIONER OF THE DEPARTMENT OF CORRECTION RESERVES THE RIGHT TO REJECT ALL BIDS OR ESTIMATES IF DEEMED TO BE FOR THE PUBLIC INTEREST, AS PROVIDED BY SECTION 64, CHAPTER 410, LAWS OF 1882.

No bid or estimate will be accepted from or contract awarded to any person who is in arrears to the Corporation upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the Corporation.

The award of the contract will be made as soon as practicable after the opening of the bids.

Any bidder for this contract must be known to be engaged in and well prepared for the business, and must have satisfactory testimonials to that effect, and the person or persons to whom the contract may be awarded will be required to give security for the performance of the contract by his or their bond, with two sufficient sureties, each in the penal amount of SEVENTY-FIVE THOUSAND (\$75,000) DOLLARS.

Each bid or estimate shall contain and state the name and place of residence or place of business of each of the persons making the same, the names of all persons interested with him or them therein, and if no other person be so interested, it shall distinctly state that fact; also that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Common Council, head of a department, chief of a bureau, deputy thereof or clerk therein, or other officer of the Corporation, is directly or indirectly interested therein, or in the work to which it relates, or in any portion of the profits thereof. The bid or estimate must be verified by the oath, in writing, of the party or parties making the estimate, that the several matters stated therein are in all respects true. Where more than one person is interested, it is requisite that the verification be made and subscribed by all the parties interested.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New York, with their respective places of business or residence, to the effect that if the contract be awarded to the person making the estimate, they will, on its being so awarded, become bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same, they shall pay to the Corporation any difference between the sum to which he would be entitled on its completion and that which the Corporation may be obliged to pay to the person or persons to whom the contract may be awarded at any subsequent letting, the amount in each case to be calculated upon the estimated amount of the supplies by which the bids are tested. The consent above mentioned shall be accompanied by the oath or affirmation, in writing, of each of the persons signing the same, that he is a householder or freeholder in the City of New York and is worth the amount of the security required for the completion of this contract, over and above all his debts of every nature, and over and above his liabilities as bail, surety or otherwise, and that he has offered himself as a surety in good faith and with the intention to execute the bond required by section 12 of chapter 7 of the Revised Ordinances of the City of New York, if the contract shall be awarded to the person or persons for whom he consents to become surety. The adequacy and sufficiency of the security offered is to be approved by the Comptroller of the City of New York.

No bid or estimate will be considered unless accompanied by either a certified check upon one of the State or National banks of the City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the security required for the faithful performance of the contract. Such check or money must not be inclosed in the sealed envelope containing the estimate, but must be handed to the officer or clerk of the Department who has charge of the estimate-box, and no estimate can be deposited in said box until such check or money has been examined by said officer or clerk and found to be correct. All such deposits, except that of the successful bidder, will be returned to the persons making the same within three days after the contract is awarded. If the successful bidder shall refuse or neglect, within five days after notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited and retained by the City of New York as liquidated damages for such neglect or refusal; but if he shall execute the contract within the time aforesaid the amount of his deposit will be returned to him.

Should the person or persons to whom the contract may be awarded neglect or refuse to accept the contract within five days after written notice that the same has been awarded to him or their bid or proposal, or if he or they accept but do not execute the contract and give the proper security, he or they will be considered as having abandoned it and as in default to the Corporation, and the contract will be readvertised and relet, as provided by law.

The work and material must conform in every respect to the printed specifications and plans. Bidders are cautioned to examine the specifications for particulars of the articles, etc., required, before making their estimates.

Bidders will write out the amount of their estimates in addition to inserting the same in figures.

Payment will be made by a requisition on the Comptroller, in accordance with the terms of the contract.

The form of the contract, including specifications, and plans, and showing the manner of payment, will be furnished at the office of the Department and by George M. Walgrove, Architect, No. 42 East Twenty-third street, New York City, and bidders are cautioned to examine each and all of its provisions carefully, as the Commissioner of the Department of Correction will insist upon its absolute enforcement in every particular.

ROBERT J. WRIGHT, Commissioner.

SUPREME COURT.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening OAKLEY STREET (although not yet named by proper authority), from Mount Vernon avenue to Verio avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT THE BILL of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter will be presented for taxation to one of the Justices of the Supreme Court, at a Special Term thereof, Part 1, to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 26th day of May, 1897, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the City and County of New York, there to remain for and during the space of ten days, as required by law.

Dated New York, May 11, 1897.
ELLIOT SANDFORD, THOMAS E. FITZGERALD, PETER RAFFERTY, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SEVENTIETH STREET (although not yet named by proper authority), from Jerome avenue to the western approach to the Concourse, and from the eastern approach to the Concourse to Morris avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third and Twenty-fourth Wards of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 20th day of April, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 28th day of April, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 8th day of June, 1897, at 11 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 14, 1897.
G. FAUVEL GOURAUD, CHARLES B. PAGE, JOHN LARKIN, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening ONE HUNDRED AND SEVENTY-FIRST STREET (although not yet named by proper authority), between Kingsbridge road and Amsterdam avenue, as the same has been heretofore laid out and designated as a third-class street or road, in the Twelfth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 20th day of April, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 28th day of April, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned

Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 8th day of June, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 14, 1897.
G. M. SPEIR, FRANK A. UHLEIN, JAMES O. FARRELL, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening MONROE AVENUE (although not yet named by proper authority), from Claremont Park to the Grand Boulevard and Concourse, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 20th day of April, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 28th day of April, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1884, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 8th day of June, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 14, 1897.
RIGAL D. WOODWARD, WILLIAM G. VER PLANCK, WILLIAM J. CARROLL, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST TWO HUNDRED AND THIRD STREET (although not yet named by proper authority), from the Concourse to Moshulu Parkway, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections, in writing, to us at our office, Nos. 90 and 92 West Broadway, ninth floor, in said city, on or before the 4th day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 4th day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 12 o'clock M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, at its office, Nos. 90 and 92 West Broadway, ninth floor, in the said city, there to remain until the 15th day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land, situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by the middle line of the block between East Two Hundred and Third street or Rockfield street and East Two Hundred and Fourth street or Potter place, from Moshulu Parkway, South, to the Grand Boulevard and Concourse; on the south by the middle line of the block between East Two Hundred and Third street or Rockfield street and East Two Hundred and Second street or Summit street, from Briggs avenue to the Grand Boulevard and Concourse; on the east by Briggs avenue and Moshulu Parkway, South, and on the west by the Grand Boulevard and Concourse, excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened, as such area is shown upon our benefit map deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III., of the State of New York, to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, May 12, 1897.
JOHN T. SIMON, Chairman; WILLIAM H. BARKER, JOHN J. O'NEILL, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening KNOX STREET (although not yet named by proper

authority), from Mount Vernon avenue to Verio avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections, in writing, to us at our office, Nos. 90 and 92 West Broadway, ninth floor, in said city, on or before the 3d day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 3d day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 10 o'clock A. M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, at its office, Nos. 90 and 92 West Broadway, ninth floor, in the said city, there to remain until the 15th day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land, situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by a line drawn parallel to Knox (East Two Hundred and Thirty-ninth street) street and distant 100 feet northerly from the northerly side thereof, from the westerly side of Verio avenue to the northerly side of Mount Vernon avenue; thence by a line drawn at right angles to the northerly side of Mount Vernon avenue at its intersection with said last-mentioned line parallel to Knox (East Two Hundred and Thirty-ninth street) street to a line drawn parallel to Mount Vernon avenue and distant 100 feet northerly from the northerly side thereof; on the south by a line drawn parallel to Knox (East Two Hundred and Thirty-ninth street) street and distant 100 feet southerly from the southerly side thereof, from the westerly side of Verio avenue to the northerly side of Mount Vernon avenue; thence by a line drawn at right angles to the northerly side of Mount Vernon avenue at its intersection with said last-mentioned line parallel to Knox (East Two Hundred and Thirty-ninth street) street to a line drawn parallel to Mount Vernon avenue and distant 100 feet northerly from the northerly side thereof; on the east by the westerly side of Verio avenue, and on the west by a line drawn parallel to the northerly side of Mount Vernon avenue and distant 100 feet northerly from the northerly side thereof, excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened, as such area is shown upon our benefit map deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III., of the State of New York, to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, May 12, 1897.
FREDERIC J. DIETER, EDWARD J. KIELY, GERALD HULL GRAY, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of Michael T. Daly, Commissioner of Public Works of the City of New York, for and in behalf of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, in fee, to certain lots, pieces or parcels of land in the Twelfth and Twenty-third Wards of the City of New York, for the purpose of the construction of a draw-bridge and approaches thereto, with the necessary abutments and arches, over the Harlem river, connecting the northerly end of Third avenue, in the Twelfth Ward of said city, with the southerly end of Third avenue, in the Twenty-third Ward of said city.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned Commissioners of Estimate and Apportionment in the above-entitled matter, will be in attendance at our office, Room No. 113, on the third floor of the Stewart Building, No. 280 Broadway, in the City of New York, on the 25th day of May, 1897, at 10:30 o'clock in the forenoon, to hear any person or persons who may consider themselves aggrieved by our third separate estimate or assessment in the above-entitled matter (an abstract of which has been heretofore filed by us for and during the space of thirty days in the office of the Commissioner of Public Works, in the American Tract Society Building, corner of Nassau and Spruce streets, in said city), in opposition to the same; and that our said abstract of estimate and assessment may be hereafter inspected at our said office, Room No. 113, on the third floor of the Stewart Building, No. 280 Broadway; that it is our intention to present our third separate report herein for confirmation to the Supreme Court of the State of New York, at a Special Term thereof, to be held in Part III. in the County Court-house in the City of New York, on the 27th day of May, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, May 12, 1897.
DAVID LEVENTRITT, PETER BOWE, ARTHUR INGRAHAM, Commissioners.
JAMES A. C. JOHNSON, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening JENNINGS STREET (although not yet named by proper authority), from Stebbins avenue to West Farms road, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections, in writing, to us at our office, Nos. 90 and 92 West Broadway, ninth floor, in said city, on or before the 3d day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 3d day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 12 o'clock A. M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings, in the Law Department of the City of New York, at its office, Nos. 90 and 92 West Broadway, ninth floor, in the said city, there to remain until the 15th day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land, situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by the southerly side of East One Hundred and Seventy-second street and the southerly side of East One Hundred and Seventy-second street produced, from the Bronx river to the southerly side of East One Hundred and Seventy-second street produced;

thence by the southerly side of East One Hundred and Seventy-second street produced and the southerly side of East One Hundred and Seventy-second street, from East One Hundred and Seventy-second street produced to the southerly side of Boston road; on the south by the northerly side of Westchester avenue, from the Bronx river to the northerly side of Freeman street produced; thence by the northerly side of Freeman street produced and the northerly side of Freeman street to the easterly side of Union avenue; on the east by the westerly side of the Bronx river, and on the west by the southerly side of Boston road and the easterly side of Union avenue; excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened, as such area is shown upon our benefit map, deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III., of the State of New York, to be held in and for the City and County of New York at the County Court-house in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, May 11, 1897.
JOSEPH E. BARNES, JOSEPH RILEY, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to land and premises required for the opening and extending of the widening of THIRD AVENUE (although not yet named by proper authority), at its eastern side, from a point 223.91 feet northerly of East One Hundred and Sixty-first street to Teasdale place, in the Twenty-third Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Third avenue, at its eastern side, from a point 223.91 feet northerly of East One Hundred and Sixty-first street to Teasdale place, in the Twenty-third Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the eastern line of St. Ann's avenue distant 223.91 feet northerly from the intersection of the eastern line of St. Ann's avenue with the northern line of East One Hundred and Sixty-first street (legally opened as Clifton street).
1st. Thence northerly along the eastern line of St. Ann's avenue for 61.48 feet to the eastern line of Third avenue.
2d. Thence northerly along the eastern line of Third avenue for 266.71 feet to the southern line of East One Hundred and Sixty-third street.
3d. Thence easterly along the southern line of East One Hundred and Sixty-third street for 10.07 feet.
4th. Thence southerly for 328.54 feet to the point of beginning.

PARCEL "B."
Beginning at the intersection of the eastern line of Third avenue with the northern line of East One Hundred and Sixty-third street.
1st. Thence northerly along the eastern line of Third avenue for 151.02 feet to the southern line of Teasdale place.
2d. Thence easterly along the southern line of Teasdale place for 10.07 feet.
3d. Thence southerly deflecting 96 degrees 39 minutes 20 seconds to the right for 151.02 feet to the northern line of East One Hundred and Sixty-third street.
4th. Thence westerly along the northern line of East One Hundred and Sixty-third street for 10.07 feet to the point of beginning.

As shown on a map showing amendment of section 6 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, said map being entitled, "Map showing the widening of Third avenue at its easterly side, between Clifton street and Teasdale place, in the Twenty-third Ward of the City of New York, etc." Filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 21, 1895; in the office of the Register of the City and County of New York on December 24, 1895, and in the office of the Secretary of State of the State of New York on December 26, 1895. Third avenue is designated as a street of the first class.

Dated New York, May 10, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to FAIRMOUNT PLACE (although not yet named by proper authority), from the Crotona avenue to the Southern Boulevard, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Fairmount place, from Crotona avenue to the Southern Boulevard, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the western line of Clinton avenue distant 399.81 feet southwesterly from the intersection of the western line of Clinton avenue with the southern line of East One Hundred and Seventy-seventh street (Tremont avenue).
1st. Thence southwesterly along the western line of Clinton avenue for 50 feet.
2d. Thence northwesterly deflecting 90 degrees 1 minute 42 seconds to the right for 270.80 feet to the eastern line of Crotona avenue.
3d. Thence northeasterly along the western line of Crotona avenue for 50 feet.
4th. Thence southeasterly for 270.80 feet to the point of beginning.

PARCEL "B."
Beginning at a point in the eastern line of Clinton avenue distant 399.70 feet southwesterly from the intersection of the eastern line of Clinton avenue with the southern line of East One Hundred and Seventy-seventh street (Tremont avenue).
1st. Thence southwesterly along the eastern line of Clinton avenue for 50 feet.
2d. Thence southeasterly deflecting 89 degrees 57 minutes 56 seconds to the left for 289.92 feet.

3d. Thence southwesterly deflecting 90 degrees 4 minutes 18 seconds to the right for 50.80 feet.
4th. Thence southeasterly deflecting 89 degrees 58 minutes 25 seconds to the left for 1,330.08 feet to the western line of Southern Boulevard.
5th. Thence northerly along the western line of Southern Boulevard for 54.89 feet.
6th. Thence northwesterly deflecting 65 degrees 37 minutes 28 seconds to the left for 1,247.45 feet.
7th. Thence northeasterly deflecting 89 degrees 58 minutes 25 seconds to the right for 50.90 feet.
8th. Thence northwesterly for 350.01 feet to the point of beginning.

Fairmount place is designated as a street of the first class, and is shown on section 10 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on June 10, 1895; in the office of the Register of the City and County of New York on June 14, 1895, and in the office of the Secretary of State of the State of New York on June 15, 1895.

Dated New York, May 10, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to WALTON STREET (East One Hundred and Ninety-ninth street) (although not yet named by proper authority), from Webster avenue to Marion avenue, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Walton street (East One Hundred and Ninety-ninth street), from Webster avenue to Marion avenue, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the western line of Webster avenue distant 201.07 feet southwesterly from the intersection of the western line of Webster avenue with the western line of East Two Hundredth street (Southern Boulevard).
1st. Thence southwesterly along the western line of Webster avenue for 50.15 feet.
2d. Thence northwesterly deflecting 94 degrees 26 minutes 43 seconds to the right for 230.44 feet to the eastern line of Decatur avenue.
3d. Thence northeasterly along the eastern line of Decatur avenue for 50.33 feet.
4th. Thence southeasterly for 232.29 feet to the point of beginning.

PARCEL "B."
Beginning at a point in the eastern line of Marion avenue distant 221.76 feet southwesterly from the intersection of the eastern line of Marion avenue with the western line of East Two Hundredth street (Southern Boulevard).
1st. Thence southwesterly along the eastern line of Marion avenue for 50.58 feet.
2d. Thence southeasterly deflecting 81 degrees 20 minutes 5 seconds to the left for 209.26 feet to the western line of Decatur avenue.
3d. Thence northwesterly along the western line of Decatur avenue for 50.33 feet.
4th. Thence northwesterly for 211.14 feet to the point of beginning.

Walton street (East One Hundred and Ninety-ninth street) is designated as a street of the first class, and is shown on section 17 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 17, 1895; in the office of the Register of the City and County of New York on December 29, 1895, and in the office of the Secretary of State of the State of New York on December 28, 1895.

Dated New York, May 10, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST ONE HUNDRED AND SEVENTY-EIGHTH STREET (Powell place) (although not yet named by proper authority), from Cedar avenue (Riverview Terrace) to the bulkhead line of the Harlem river, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening and extending of a certain street or avenue known as East One Hundred and Seventy-eighth street (Powell place), from Cedar avenue (Riverview Terrace) to the bulkhead line of the Harlem river, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

Beginning at a point in the western line of Cedar avenue (Riverview Terrace) distant 1,345.22 feet northeasterly from the intersection of the western line of Cedar avenue (Riverview Terrace) and Sedgwick avenue.
1st. Thence northeasterly along the western line of Cedar avenue (Riverview Terrace) for 60 feet.
2d. Thence northwesterly deflecting 90 degrees to the left for 679.99 feet to the eastern bulkhead line of the Harlem river.
3d. Thence southwesterly curving to the left on the arc of a circle whose radius, drawn southeasterly from the western extremity of the preceding course, forms an angle of 2 degrees 26 minutes 45 seconds to the north with said course and whose radius is 19,600 feet for 60.05 feet along the eastern bulkhead line of said river.
4th. Thence easterly for 668.33 feet to the point of beginning.

East One Hundred and Seventy-eighth street (Powell place) is designated as a street of the first class, and is shown on section 15 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 16, 1895; in the office of the Register of the City and County of New York on December 17, 1895, and in the office of the Secretary of State of the State of New York on December 17, 1895.

Dated New York, May 10, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to WALTON AVENUE (although not yet named by proper authority), from Tremont avenue to Fordham road, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Walton avenue, from Tremont avenue to Fordham road, in the Twenty-fourth Ward of the City of New York, being the following described lots, pieces or parcels of land, viz.:

PARCEL "A."

Beginning at a point in the southern line of Burnside avenue distant 201.82 feet southeasterly from the intersection of the southern line of Burnside avenue with the eastern line of Jerome avenue.

1st. Thence southeasterly along the southern line of Burnside avenue for 60.57 feet.
2d. Thence southeasterly deflecting 97 degrees 51 minutes 8 seconds to the right for 880.05 feet to the northern line of Tremont avenue.
3d. Thence northwesterly along the northern line of Tremont avenue for 66.16 feet.
4th. Thence northeasterly for 867.35 feet to the point of beginning.

PARCEL "B."

Beginning at a point in the northern line of Burnside avenue distant 201.82 feet southeasterly from the intersection of the northern line of Burnside avenue with the eastern line of Jerome avenue.

1st. Thence southeasterly along the northern line of Burnside avenue for 60.57 feet.
2d. Thence northeasterly deflecting 82 degrees 8 minutes 52 seconds to the left for 951.18 feet.
3d. Thence northeasterly deflecting 9 degrees 45 minutes 3 seconds to the left for 1,798.82 feet to the southern line of East One Hundred and Eighty-fourth street.
4th. Thence northwesterly along the southern line of East One Hundred and Eighty-fourth street for 60 feet.
5th. Thence southwesterly deflecting 89 degrees 25 minutes 40 seconds to the left for 1,793.10 feet.
6th. Thence southwesterly for 954.34 feet to the point of beginning.

PARCEL "C."

Beginning at a point in the southern line of Fordham road distant 163.82 feet southeasterly from the intersection of the southern line of Fordham road with the eastern line of Jerome avenue.

1st. Thence southeasterly along the southern line of Fordham road for 60.23 feet.
2d. Thence southwesterly deflecting 85 degrees 2 minutes 40 seconds to the right for 813.52 feet to the northern line of East One Hundred and Eighty-fourth street.
3d. Thence northwesterly along the northern line of East One Hundred and Eighty-fourth street for 60 feet.
4th. Thence northeasterly for 819.33 feet to the point of beginning.

Walton avenue is designated as a street of the first class, and is shown on sections 14 and 17 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards, section 14 on December 16, 1895, and section 17 on December 17, 1895; in the office of the Register of the City and County of New York, section 14 on December 17, 1895, and section 17 on December 29, 1895; in the office of the Secretary of State of the State of New York, section 14 on December 17, 1895, and section 17 on December 28, 1895.

Dated New York, May 10, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST ONE HUNDRED AND SIXTY-FOURTH STREET (although not yet named by proper authority), from Jerome avenue to Sheridan avenue, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East One Hundred and Sixty-fourth street, from Jerome avenue to Sheridan avenue, in the Twenty-fourth Ward of the City of New York, being the following described lots, pieces or parcels of land, viz.:

PARCEL "A."

Beginning at a point in the eastern line of Jerome avenue distant 466.44 feet southwesterly from the intersection of the eastern line of Jerome avenue with the southern line of East One Hundred and Sixty-fifth street.

1st. Thence southwesterly along the eastern line of Jerome avenue for 61.16 feet.
2d. Thence easterly deflecting 101 degrees 11 minutes 20 seconds to the left for 580.18 feet to the western line of River avenue.
3d. Thence northerly along the western line of River avenue for 60 feet.
4th. Thence westerly for 568.32 feet to the point of beginning.

PARCEL "B."

Beginning at a point in the western line of Gerard avenue distant 450 feet southerly from the intersection of the western line of Gerard avenue with the southern line of East One Hundred and Sixty-fifth street.

1st. Thence southerly along the western line of Gerard avenue for 60 feet.
2d. Thence westerly deflecting 90 degrees to the right for 230 feet to the eastern line of River avenue.
3d. Thence northerly along the eastern line of River avenue for 60 feet.
4th. Thence easterly for 230 feet to the point of beginning.

PARCEL "C."

Beginning at a point in the eastern line of Gerard avenue distant 449.39 feet southerly from the intersection of the eastern line of Gerard avenue with the southern line of East One Hundred and Sixty-fifth street.

1st. Thence southerly along the eastern line of Gerard avenue for 60 feet.
2d. Thence easterly deflecting 90 degrees to the left for 200 feet to the western line of Walton avenue.
3d. Thence northerly along the western line of Walton avenue for 60 feet.
4th. Thence westerly for 200 feet to the point of beginning.

PARCEL "D."

Beginning at a point in the western line of Grand Boulevard and Concourse distant 421.79 feet southerly from the intersection of the western line of the Grand Boulevard and Concourse with the southern line of the western approach to the same at East One Hundred and Sixty-fifth street.

1st. Thence southerly along the western line of the Grand Boulevard and Concourse for 60.01 feet.
2d. Thence westerly deflecting 91 degrees 10 minutes 28 seconds to the right for 256.37 feet to the eastern line of Walton avenue.

3d. Thence northerly along the eastern line of Walton avenue for 60 feet.

4th. Thence easterly for 255.14 feet to the point of beginning.

PARCEL "E."

Beginning at a point in the eastern line of the Grand Boulevard and Concourse distant 419.20 feet southerly from the intersection of the eastern line of the Grand Boulevard and Concourse with the southern line of the eastern approach to the same at East One Hundred and Sixty-fifth street.

1st. Thence southerly along the eastern line of the Grand Boulevard and Concourse for 60.01 feet.
2d. Thence easterly deflecting 88 degrees 40 minutes 32 seconds to the left for 342.80 feet to the western line of Sheridan avenue.

3d. Thence northerly along the western line of Sheridan avenue for 60.02 feet.

4th. Thence westerly for 342.65 feet to the point of beginning.

East One Hundred and Sixty-fourth street is designated as a street of the first class, and is shown on sections 8 and 9 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York, section 8 on November 11, 1895, and section 9 on October 31, 1895; in the office of the Register of the City and County of New York, section 8 on November 12, 1895, and section 9 on November 2, 1895; in the office of the Secretary of State of the State of New York, section 8 on November 13, 1895, and section 9 on November 2, 1895.

Dated New York, May 10, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST ONE HUNDRED AND SEVENTY-SECOND STREET (although not yet named by proper authority), from Jerome avenue to Morris avenue, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East One Hundred and Seventy-second street, from Jerome avenue to Morris avenue, in the Twenty-fourth Ward of the City of New York, being the following described lots, pieces or parcels of land, viz.:

PARCEL "A."

Beginning at a point in the eastern line of Jerome avenue distant 798.05 feet southeasterly from the intersection of the eastern line of Jerome avenue with the northern line of East One Hundred and Seventieth street.

1st. Thence northeasterly along the eastern line of Jerome avenue for 60 feet.
2d. Thence southeasterly deflecting 90 degrees to the right for 200 feet to the western line of Townsend avenue.
3d. Thence southwesterly along the western line of Townsend avenue for 60 feet.
4th. Thence northwesterly for 200 feet to the point of beginning.

PARCEL "B."

Beginning at a point in the western line of Walton avenue distant 785.02 feet southeasterly from the intersection of the western line of Walton avenue with the northern line of East One Hundred and Seventieth street.

1st. Thence northeasterly along the western line of Walton avenue for 60 feet.
2d. Thence northwesterly deflecting 90 degrees to the left for 200 feet to the eastern line of Townsend avenue.
3d. Thence southwesterly along the eastern line of Townsend avenue for 60 feet.
4th. Thence southeasterly for 200 feet to the point of beginning.

PARCEL "C."

Beginning at a point in the western line of the Grand Boulevard and Concourse distant 770.80 feet southerly from the intersection of the western line of the Grand Boulevard and Concourse with the southern line of the western approach to the same at Belmont street.

1st. Thence southerly along the western line of the Grand Boulevard and Concourse for 61.87 feet.
2d. Thence northwesterly deflecting 104 degrees 7 minutes 31 seconds to the right for 437.79 feet to the eastern line of Walton avenue.

3d. Thence northeasterly along the eastern line of Walton avenue for 60 feet.

4th. Thence southeasterly for 422.69 feet to the point of beginning.

PARCEL "D."

Beginning at a point in the eastern line of the Grand Boulevard and Concourse distant 765.20 feet southerly from the intersection of the eastern line of the Grand Boulevard and Concourse with the southern line of the eastern approach to the same at Belmont street.

1st. Thence southerly along the eastern line of the Grand Boulevard and Concourse for 60.33 feet.
2d. Thence easterly deflecting 84 degrees 0 minutes 11 seconds to the left for 637.48 feet.

3d. Thence southeasterly deflecting 59 degrees 13 minutes 59 seconds to the right for 24.17 feet to the western line of Morris avenue.

4th. Thence northerly along the western line of Morris avenue for 80.94 feet.

5th. Thence westerly for 661.42 feet to the point of beginning.

East One Hundred and Seventy-second street is designated as a street of the first class, and is shown on section 9 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on October 31, 1895; in the office of the Register of the City and County of New York on November 2, 1895, and in the office of the Secretary of State of the State of New York on November 2, 1895.

Dated New York, May 10, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to land required to CRESTON AVENUE (although not yet named by proper authority), from Tremont avenue to Minerva place, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Creston avenue, from Tremont avenue to Minerva place, in the Twenty-fourth Ward of the City of New York, being the following described lots, pieces or parcels of land, viz.:

PARCEL "A."

Beginning at a point in the northern line of the western approach to the Grand Boulevard and Concourse at Tremont avenue distant 302.18 feet northerly from the intersection of said line with the western line of the Grand Boulevard and Concourse.

1st. Thence northerly along the northern line of the western approach to the Grand Boulevard and Concourse at Tremont avenue for 62.35 feet.

2d. Thence northeasterly deflecting 88 degrees 43 minutes 18 seconds to the right for 849.80 feet to the southern line of the western approach of the Grand Boulevard and Concourse at Burnside avenue.

3d. Thence easterly along said line for 63.71 feet.

4th. Thence southwesterly for 886.81 feet to the point of beginning.

PARCEL "B."

Beginning at a point in the northern line of the western approach to the Grand Boulevard and Concourse at Burnside avenue distant 223.92 feet westerly from the intersection of said line with the western line of the Grand Boulevard and Concourse.

1st. Thence westerly along the northern line of said approach for 60.90 feet.

2d. Thence northeasterly deflecting 108 degrees 13 minutes to the right for 765.10 feet to the southern line of East One Hundred and Eighty-first street.

3d. Thence easterly along the southern line of East One Hundred and Eighty-first street for 64.64 feet.

4th. Thence southwesterly for 779.39 feet to the point of beginning.

PARCEL "C."

Beginning at a point in the northern line of East One Hundred and Eighty-first street distant 188.44 feet westerly from the intersection of the said line with the western line of the Grand Boulevard and Concourse.

1st. Thence westerly along the southern line of East One Hundred and Eighty-first street for 62.71 feet.
2d. Thence northwesterly deflecting 106 degrees 55 minutes 20 seconds to the right for 621.04 feet.

3d. Thence northeasterly deflecting 0 degrees 41 minutes 8 seconds to the left for 60.20 feet.

4th. Thence northeasterly deflecting 4 degrees 43 minutes 22 seconds to the left for 1,543 feet to the southern line of East One Hundred and Eighty-fourth street.

5th. Thence southeasterly along the southern line of East One Hundred and Eighty-fourth street for 60 feet.

6th. Thence southwesterly deflecting 90 degrees to the right for 1,243 feet.

7th. Thence southwesterly deflecting 4 degrees 28 minutes 7 seconds to the right for 60.18 feet.

8th. Thence southwesterly for 609.37 feet to the point of beginning.

PARCEL "D."

Beginning at a point in the northern line of East One Hundred and Eighty-fourth street distant 177.08 feet northwesterly from the intersection of said line with the western line of the Grand Boulevard and Concourse.

1st. Thence northwesterly along the northern line of East One Hundred and Eighty-fourth street for 60 feet.

2d. Thence northeasterly deflecting 90 degrees to the right for 115.56 feet.

3d. Thence northeasterly deflecting 2 degrees 32 minutes 40 seconds to the left for 651.68 feet to the southern line of East One Hundred and Eighty-ninth street.

4th. Thence southeasterly along the southern line of East One Hundred and Eighty-ninth street for 60.60 feet.

5th. Thence southwesterly deflecting 81 degrees 55 minutes 40 seconds to the right for 617.50 feet.

6th. Thence southwesterly for 116.89 feet to the point of beginning.

PARCEL "E."

Beginning at a point in the northern line of East One Hundred and Eighty-ninth street distant 180.32 feet northwesterly from the intersection of said line with the western line of the Grand Boulevard and Concourse.

1st. Thence northwesterly along the northern line of East One Hundred and Eighty-ninth street for 60.60 feet.

2d. Thence northeasterly deflecting 81 degrees 55 minutes 40 seconds to the right for 81.76 feet.

3d. Thence northeasterly deflecting 2 degrees 20 minutes 9 seconds to the right for 101.55 feet.

4th. Thence northeasterly deflecting 2 degrees 17 minutes 4 seconds to the right for 921.54 feet.

5th. Thence northeasterly deflecting 0 degrees 29 minutes 40 seconds to the right for 60.12 feet.

6th. Thence northeasterly deflecting 1 degree 51 minutes 27 seconds to the right for 715.13 feet to the southern line of the western approach to the Grand Boulevard and Concourse at Kingsbridge road.

7th. Thence southeasterly along said line for 60.30 feet.

8th. Thence southwesterly deflecting 83 degrees 10 minutes 20 seconds to the right for 711.27 feet.

9th. Thence southwesterly deflecting 1 degree 58 minutes 54 seconds to the left for 60.13 feet.

10th. Thence southwesterly deflecting 0 degrees 22 minutes 13 seconds to the left for 751.20 feet.

11th. Thence southerly deflecting 39 degrees 4 minutes 3 seconds to the left for 88.33 feet.

12th. Thence southerly deflecting 59 degrees 9 minutes 57 seconds to the right for 160.93 feet.

13th. Thence southwesterly for 133.36 feet to the point of beginning.

PARCEL "F."

Beginning at a point in the southern line of East One Hundred and Ninety-eighth street (Travers street) distant 218.53 feet northwesterly from the intersection of the said line with the western line of the Grand Boulevard and Concourse.

1st. Thence northwesterly along the southern line of East One Hundred and Ninety-eighth street (Travers street) for 60.06 feet.

2d. Thence southwesterly deflecting 92 degrees 40 minutes to the left for 994.42 feet.

3d. Thence southwesterly deflecting 5 degrees 31 minutes 20 seconds to the left for 60.01 feet.

4th. Thence southwesterly deflecting 0 degrees 56 minutes 30 seconds to the right for 651.34 feet to the northern line of the western approach to the Grand Boulevard and Concourse at Kingsbridge road.

5th. Thence southeasterly along said line for 60.18 feet.

6th. Thence northeasterly deflecting 94 degrees 49 minutes 40 seconds to the left for 652.57 feet.

7th. Thence northeasterly deflecting 1 degree 6 minutes 20 seconds to the right for 60 feet.

8th. Thence northeasterly for 986.77 feet to the point of beginning.

PARCEL "G."

Beginning at a point in the northern line of East One Hundred and Ninety-eighth street (Travers street) distant 198.42 feet northwesterly from the intersection of said line with the western line of the Grand Boulevard and Concourse.

1st. Thence northwesterly along the northern line of East One Hundred and Ninety-eighth street (Travers street) for 62.10 feet.

2d. Thence northeasterly deflecting 104 degrees 57 minutes 13 seconds to the right for 249.22 feet.

3d. Thence southeasterly deflecting 120 degrees 25 minutes 36 seconds to the right for 64.03 feet.

4th. Thence southwesterly for 200.75 feet to the point of beginning.

Creston avenue is designated as a street of the first class, and is shown on sections 14, 17 and 20 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards, section 14 on December 16, 1895, and section 20 on December 17, 1895; in the office of the Register of the City and County of New York, section 14 on December 17, 1895, and section 20 on December 17, 1895; in the office of the Secretary of State of the State of New York, section 14 on December 17, 1895, and section 20 on December 28, 1895.

Dated New York, May 10, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands ON THE SOUTHERLY SIDE OF TWENTY-FIFTH STREET, between Seventh and Eighth avenues, in the Sixteenth Ward of said city, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, and the various statutes amendatory thereof, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, on the southerly side of Twenty-fifth street, between Seventh and Eighth avenues, in the Sixteenth Ward of said city, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Sixteenth Ward of the City of New York, bounded and described as follows:

Beginning at a point in the southerly line of Twenty-fifth street distant 345 feet westerly from the corner formed by the intersection of the westerly line of Seventh avenue with the southerly line of Twenty-fifth street; running thence southerly parallel with Seventh avenue and part of the way through a party wall 78 feet and 9 inches; thence easterly parallel with Twenty-fifth street 45 feet; thence southerly parallel with Seventh avenue 20 feet to the centre line of the block and to the northerly line of the present site of Grammar School No. 45; thence westerly along said centre line of the block, and along said northerly line of the present site of Grammar School No. 45, 120 feet; thence northerly parallel with Seventh avenue 20 feet; thence easterly parallel with Twenty-fifth street 45 feet; thence northerly parallel with Seventh avenue and part of the way through a party wall 78 feet and 9 inches to the southerly line of Twenty-fifth street; thence easterly along said southerly line of Twenty-fifth street 30 feet to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands ON JEROME AVENUE AND WALTON AVENUE (proposed) north of One Hundred and Eighty-fourth street, in the Twenty-fourth Ward of said City, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, and the various statutes amendatory thereof, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court

utes amendatory thereof, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, on the southerly side of One Hundred and Fifty-sixth street, between Amsterdam avenue and Kingsbridge road, in the Twelfth Ward of said City, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Twelfth Ward of the City of New York, bounded and described as follows:

Beginning at a point in the southerly line of One Hundred and Fifty-sixth street distant 100 feet easterly from the corner formed by the intersection of the easterly line of Amsterdam avenue with the southerly line of One Hundred and Fifty-sixth street; running thence easterly along the said southerly line of One Hundred and Fifty-sixth street 75 feet to the westerly line of the present site of Grammar School No. 46; thence southerly parallel with Amsterdam avenue and along said westerly line of the present site of Grammar School No. 46, 99 feet and 11 inches to the centre line of the block; thence westerly parallel with One Hundred and Fifty-sixth street and along said centre line of the block 75 feet; thence northerly parallel with Amsterdam avenue 99 feet and 11 inches to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands on the northerly side of ONE HUNDRED AND FOURTH STREET, between Columbus and Amsterdam avenues, in the Twelfth Ward of said City, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, AND THE VARIOUS STATUTES AMENDATORY THEREOF, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, on One Hundred and Fourth street, between Columbus and Amsterdam avenues, in the Twelfth Ward of said City, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Twelfth Ward of the City of New York, bounded and described as follows:

Beginning at a point in the northerly line of One Hundred and Fourth street distant 175 feet easterly from the corner formed by the intersection of the easterly line of Amsterdam avenue with the northerly line of One Hundred and Fourth street; running thence northerly parallel with Amsterdam avenue and along the present site of Grammar School No. 54, 100 feet and 21 inches to the centre line of the block; thence easterly along said centre line of the block and parallel with One Hundred and Fourth street 50 feet; thence southerly parallel with Amsterdam avenue 100 feet and 11 inches to the northerly line of One Hundred and Fourth street; thence westerly along said northerly line of One Hundred and Fourth street 50 feet to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands on ONE HUNDRED AND SIXTY-THIRD STREET, Grant and Morris avenues (proposed), in the Twenty-third Ward of said City, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, AND THE VARIOUS STATUTES AMENDATORY THEREOF, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, on One Hundred and Sixty-third street, Grant and Morris avenues, in the Twenty-third Ward of said City, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Twenty-third Ward of the City of New York, bounded and described as follows:

Beginning at the corner formed by the intersection of the northerly line of One Hundred and Sixty-third street with the westerly line of Morris avenue as proposed; running thence westerly along the northerly line of One Hundred and Sixty-third street 210 feet to the easterly line of Grant avenue as proposed; thence northerly along the said easterly line of Grant avenue as proposed 112 feet and 6 inches; thence easterly parallel with the said northerly line of One Hundred and Sixty-third street 210 feet to the westerly line of Morris avenue as proposed; thence southerly along said westerly line of Morris avenue 112 feet and 6 inches to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands in the block bounded by ONE HUNDRED AND SIXTY-NINTH STREET, OGDEN AND MERRIAM AVENUES, in the Twenty-third Ward of said City, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, AND THE VARIOUS STATUTES AMENDATORY THEREOF, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, in the block bounded by One Hundred and Sixty-ninth street, OGDEN AND MERRIAM AVENUES, in the Twenty-third Ward of said City, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Twenty-third Ward of the City of New York, bounded and described as follows:

First—Beginning at the corner formed by the intersection of the northerly line of Merriam avenue with the westerly line of OGDEN AVENUE; running thence westerly along the northerly line of Merriam avenue 105 feet 6 1/2 inches to an angle in the said northerly line of Merriam avenue; thence northerly and along the easterly line of Merriam avenue as the same turns to the north 50 feet 3/4 of an inch to land recently acquired for school purposes; thence easterly parallel with the northerly line of Merriam avenue as first mentioned and along the said southerly line of land previously acquired for school purposes 135 feet 10 1/2 inches to the westerly line of OGDEN AVENUE; thence southerly along the said westerly line of OGDEN AVENUE 50 feet to the point or place of beginning.

Second—Beginning at the corner formed by the intersection of the easterly line of Merriam avenue with the southerly line of East One Hundred and Sixty-ninth street; running thence easterly along said southerly line of East One Hundred and Sixty-ninth street 108 feet 3 1/2 inches to the present site of Grammar School No. 91; thence southerly and along the present site of Grammar School No. 91, 82 feet 2 1/2 inches to a point distant 120 feet 2 inches westerly from the westerly line of OGDEN AVENUE measured at right angles thereto; thence easterly upon a line drawn at right angles with OGDEN AVENUE 9 feet 3 inches to land recently acquired for school purposes; thence southerly along said land recently acquired for school purposes and parallel with OGDEN AVENUE 79 feet 1 1/2 inches to the easterly line of Merriam avenue; thence northerly along said easterly line of Merriam avenue 158 feet 6 1/2 inches to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands on the easterly side of SHERIFF STREET, between East Houston and Stanton streets, in the Eleventh Ward of said City, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, AND THE VARIOUS STATUTES AMENDATORY THEREOF, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, on the easterly side of Sheriff street, between East Houston and Stanton streets, in the Eleventh Ward of said City, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Eleventh Ward of the City of New York, bounded and described as follows:

Beginning at a point in the easterly line of Sheriff street distant 150 feet northerly from the corner formed by the intersection of the northerly line of Stanton street with the easterly line of Sheriff street; running thence northerly along said easterly line of Sheriff street 74 feet and 11 inches; thence easterly parallel with Stanton street 100 feet; thence southerly parallel with Sheriff street 74 feet and 11 inches; thence westerly 100 feet to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands ON THE NORTHERLY SIDE OF SIXTY-FIFTH STREET AND THE SOUTHERLY SIDE OF SIXTY-SIXTH STREET, between the Boulevard and Amsterdam avenue, in the Twenty-second Ward of said City, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 OF THE LAWS OF 1888, AND THE VARIOUS STATUTES AMENDATORY THEREOF, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, on the northerly side of Sixty-fifth street and the southerly side of Sixty-sixth street, between the Boulevard and Amsterdam avenue, in the Twenty-second Ward of said City, in fee

simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Twenty-second Ward of the City of New York, bounded and described as follows:

Beginning at a point in the northerly line of Sixty-fifth street distant 200 feet easterly from the corner formed by the intersection of the northerly line of Sixty-fifth street with the easterly line of Amsterdam avenue; running thence northerly parallel with Amsterdam avenue 100 feet and 5 inches to the centre line of the block; thence easterly and parallel with Sixty-fifth street and along the said centre line of the block 25 feet; thence northerly parallel with Amsterdam avenue 100 feet and 5 inches to the southerly line of Sixty-sixth street; thence easterly along said southerly line of Sixty-sixth street 100 feet; thence southerly parallel with Amsterdam avenue 100 feet and 5 inches to the centre line of the block; thence easterly parallel with Sixty-fifth street and along said centre line of the block 25 feet; thence southerly parallel with Amsterdam avenue 100 feet and 5 inches to the northerly line of Sixty-fifth street; thence westerly along said northerly line of Sixty-fifth street 150 feet to the point or place of beginning.

Dated New York, May 4, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to a PUBLIC PLACE (although not yet named by proper authority), at the junction of Morris avenue, College avenue and East One Hundred and Forty-second street, in the Twenty-third Ward of the City of New York.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a Public Place at the junction of Morris avenue, College avenue and East One Hundred and Forty-second street, in the Twenty-third Ward of the City of New York, being the following described lots, pieces or parcels of land, viz:

Beginning at the intersection of the eastern line of Morris avenue with the western line of College avenue.

- 1st. Thence northeasterly along the eastern line of Morris avenue for 112.02 feet to the southern line of East One Hundred and Forty-second street.
- 2d. Thence southeasterly along the southern line of East One Hundred and Forty-second street for 57.21 feet to the western line of College avenue.
- 3d. Thence southeasterly along the western line of College avenue for 99.63 feet to the point of beginning.

And is shown on section 7 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the City of New York on October 31, 1895; in the office of the Register of the City and County of New York on November 2, 1895, and in the office of the Secretary of State of the State of New York on November 2, 1895.

Dated New York, May 3, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to BRIGGS AVENUE (although not yet named by proper authority), from East One Hundred and Ninety-fourth street to the Southern Boulevard, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Briggs avenue, from East One Hundred and Seventy-fourth street to the Southern Boulevard, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz:

Beginning at a point in the southerly line of East One Hundred and Ninety-eighth street (Travers street) distant 535.37 feet southeasterly from the intersection of the southerly line of East One Hundred and Ninety-eighth street with the eastern line of the Grand Boulevard and Concourse.

- 1st. Thence southeasterly along the southern line of East One Hundred and Ninety-eighth street for 60.01 feet.
- 2d. Thence southwesterly deflecting 83 degrees 54 minutes 20 seconds to the right for 860.63 feet.
- 3d. Thence southwesterly deflecting 3 degrees 56 minutes 18 seconds to the left for 60.13 feet.
- 4th. Thence southwesterly deflecting 45 minutes 2 seconds to the left for 83.95 feet.
- 5th. Thence northwesterly deflecting 82 degrees 51 minutes 50 seconds to the right for 57.12 feet.
- 6th. Thence northwesterly deflecting 7 degrees 56 minutes 25 seconds to the left for 3.32 feet.
- 7th. Thence northeasterly deflecting 90 degrees 48 minutes 15 seconds to the right for 801.62 feet.
- 8th. Thence northwesterly deflecting 55 minutes 39 seconds to the right for 60.12 feet.
- 9th. Thence northwesterly for 861.98 feet to the point of beginning.

Beginning at a point in the northern line of East One Hundred and Ninety-eighth street (Travers street) distant 58.01 feet southeasterly from the intersection of the northern line of East One Hundred and Ninety-eighth street with the eastern line of the Grand Boulevard and Concourse.

- 1st. Thence southeasterly along the northern line of East One Hundred and Ninety-eighth street for 62.10 feet.
- 2d. Thence northeasterly deflecting 75 degrees 2 minutes 47 seconds to the left for 931.11 feet to the southern line of East Two Hundredth street (Southern Boulevard).
- 3d. Thence northwesterly along the southern line of East Two Hundredth street (Southern Boulevard) for 60.25 feet.
- 4th. Thence southwesterly for 941.62 feet to the point of beginning.

Briggs avenue is designated as a street of the first class, and is shown on section 17 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the

Twenty-third and Twenty-fourth Wards on December 17, 1895; in the office of the Register of the City and County of New York on December 29, 1895, and in the office of the Secretary of State of the State of New York, on December 28, 1895.

Dated New York, May 3, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to MANIDA STREET (although not yet named by proper authority), from Garrison avenue (Mohawk avenue) to the United States bulkhead-line of the East River, in the Twenty-third Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Manida street, from Garrison avenue (Mohawk avenue) to the United States bulkhead-line of the East River, in the Twenty-third Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz:

Beginning at a point in the northern line of Lafayette avenue distant 210.98 feet westerly from the intersection of the western line of Hunt's Point road with the northern line of Lafayette avenue.

- 1st. Thence westerly along the northern line of Lafayette avenue for 63.29 feet.
- 2d. Thence northerly deflecting 71 degrees 25 minutes 10 seconds to the right for 751.79 feet.
- 3d. Thence easterly deflecting 61 degrees 51 minutes 20 seconds to the right for 68.05 feet.
- 4th. Thence southerly for 804.04 feet to the point of beginning.

Beginning at a point in the northern line of Lafayette avenue distant 12.57 feet westerly from the intersection of the southern line of Lafayette avenue with the western line of Hunt's Point road.

- 1st. Thence westerly along the southern line of Lafayette avenue for 60.26 feet.
- 2d. Thence southerly deflecting 95 degrees 18 minutes 50 seconds to the left for 4,852.72 feet.
- 3d. Thence southerly deflecting 19 degrees 19 minutes 8 seconds to the right for 150.33 feet.
- 4th. Thence southerly deflecting 48 degrees 18 minutes 12 seconds to the right for 100 feet.
- 5th. Thence southerly deflecting 90 degrees to the left for 197.46 feet.
- 6th. Thence southeasterly deflecting 24 degrees 23 minutes 55 seconds to the left for 33.21 feet.
- 7th. Thence northeasterly deflecting 90 degrees to the left for 150 feet.
- 8th. Thence northerly for 5,123.01 feet to the point of beginning.

Manida street is designated as a street of the first class, and is shown on sections 4 and 5 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the City of New York on July 8, 1895; in the office of the Register of the City and County of New York on July 12, 1895, and in the office of the Secretary of State of the State of New York on July 18, 1895.

Dated New York, May 3, 1897.

FRANCIS M. SCOTT, Counsel to the Corporation, No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST ONE HUNDRED AND FIFTY-SEVENTH STREET (although not yet named by proper authority), from Walton avenue to Exterior street, in the Twenty-third Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH CASES MADE AND PROVIDED, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East One Hundred and Fifty-seventh street, from Walton avenue to Exterior street, in the Twenty-third Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz:

Beginning at a point in the eastern line of Gerard avenue distant 724.67 feet southwesterly from the intersection of the eastern line of Gerard avenue with the southern line of East One Hundred and Sixty-first street.

- 1st. Thence southwesterly along the eastern line of Gerard avenue for 60 feet.
- 2d. Thence southeasterly deflecting 90 degrees to the left for 178.52 feet to the western line of Walton avenue.
- 3d. Thence northeasterly along the western line of Walton avenue for 60.01 feet.
- 4th. Thence northwesterly for 177.27 feet to the point of beginning.

Beginning at a point in the western line of Gerard avenue distant 721.60 feet southwesterly from the intersection of the western line of Gerard avenue with the southern line of East One Hundred and Sixty-first street.

- 1st. Thence southwesterly along the western line of Gerard avenue for 60 feet.
- 2d. Thence northwesterly deflecting 90 degrees to the right for 230 feet to the eastern line of River avenue.
- 3d. Thence northeasterly along the eastern line of River avenue for 60 feet.
- 4th. Thence southeasterly for 230 feet to the point of beginning.

Beginning at a point in the western line of River avenue distant 705.22 feet southerly from the intersection of the western line of River avenue with the southern line of East One Hundred and Sixty-first street.

- 1st. Thence southwesterly along the western line of River avenue for 60 feet.
- 2d. Thence northwesterly deflecting 90 degrees to the right for 235 feet.
- 3d. Thence northwesterly deflecting 2 degrees 20 minutes 52 seconds to the right for 60.03 feet.
- 4th. Thence northwesterly deflecting 0 degrees 16 minutes 25 seconds to the right for 84.63 feet.
- 5th. Thence northeasterly deflecting 90 degrees 54 minutes 40 seconds to the right for 60.05 feet.
- 6th. Thence southeasterly deflecting 89 degrees 9 minutes 24 seconds to the right for 84 feet.
- 7th. Thence southeasterly deflecting 0 degrees 14 minutes 49 seconds to the left for 60.05 feet.
- 8th. Thence southeasterly for 235 feet to the point of beginning.

East One Hundred and Fifty-seventh street is designated as a street of the first class, and is shown on sections 7 and 8 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York, section 7 on October 31, 1895, and section 8 on November 11, 1895; in the office of the Register of the City and County of New York, section 7 on November 2, 1895, and section 8 on November 12, 1895; and in the office of the Secretary of State of the State of New York, section 7 on November 2, 1895, and section 8 on November 13, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to DEVOTE STREET (now East One Hundred and Sixty-fifth street) (although not yet named by proper authority), from Sedgwick avenue to Ogden avenue, and from Bremer avenue to Anderson avenue, in the Twenty-third Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonality of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Devote street (now East One Hundred and Sixty-fifth street), from Sedgwick avenue to Ogden avenue, and from Bremer avenue to Anderson avenue, in the Twenty-third Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the western line of Lind avenue distant 759.08 feet north of the intersection of the western line of Lind avenue with the eastern line of Sedgwick avenue.

1st. Thence northerly along the western line of Lind avenue for 20 feet.
2d. Thence westerly deflecting 90 degrees to the left for 133.34 feet to the eastern line of Sedgwick avenue.
3d. Thence southerly along the eastern line of Sedgwick avenue for 20.39 feet.
4th. Thence easterly for 129.39 feet to the point of beginning.

PARCEL "B."
Beginning at a point in the eastern line of Lind avenue distant 996.93 feet north of the intersection of the eastern lines of Lind avenue and Sedgwick avenue.
1st. Thence northerly along the eastern line of Lind avenue for 73.25 feet.
2d. Thence easterly deflecting 55 degrees to the right for 213.63 feet to the western line of Summit avenue.
3d. Thence southerly along the western line of Summit avenue for 73.25 feet.
4th. Thence westerly for 213.63 feet to the point of beginning.

PARCEL "C."
Beginning at a point in the western line of Ogden avenue distant 1,886.11 feet north of the intersection of the western line of Ogden avenue with the northern line of Jerome avenue.
1st. Thence northerly along the western line of Ogden avenue for 60 feet.
2d. Thence westerly deflecting 90 degrees to the left for 190 feet to the eastern line of Summit avenue.
3d. Thence southerly along the eastern line of Summit avenue for 60 feet.
4th. Thence easterly for 190 feet to the point of beginning.

PARCEL "D."
Beginning at a point in the eastern line of Bremer avenue (now Woodcrest avenue) distant 1,564.20 feet north of the intersection of the eastern line of Bremer avenue with the northern line of Jerome avenue.
1st. Thence northerly along the eastern line of Bremer avenue (now Woodcrest avenue) for 60.47 feet.
2d. Thence easterly deflecting 82 degrees 52 minutes 30 seconds to the right for 201.56 feet.
3d. Thence southerly deflecting 97 degrees 7 minutes 30 seconds to the right for 60.47 feet.
4th. Thence westerly for 201.56 feet to the point of beginning.

Devote street (East One Hundred and Sixty-fifth street) is designated as a street of the first class, and is shown on section 8 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on November 11, 1895; in the office of the Register of the City and County of New York on November 12, 1895, and in the office of the Secretary of State of the State of New York on November 13, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to FORDHAM ROAD (although not yet named by proper authority), from East One Hundred and Eighty-ninth street to the Kingsbridge road, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonality of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Fordham road, from East One Hundred and Eighty-ninth street to the Kingsbridge road, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the western line of the Grand Boulevard and Concourse distant 274.67 feet north of the intersection of the western line of the Grand Boulevard and Concourse with the northern line of East One Hundred and Eighty-ninth street.
1st. Thence northerly along the western line of the Grand Boulevard and Concourse for 90.68 feet.
2d. Thence westerly deflecting 118 degrees 5 minutes 35 seconds to the left for 128.7 feet.
3d. Thence westerly deflecting 7 degrees 27 minutes 40 seconds to the left for 151.26 feet.
4th. Thence westerly deflecting 0 degrees 11 minutes 50 seconds to the left for 262.14 feet to the northern line of East One Hundred and Eighty-ninth street (the title to which was vested in New York City, February 10, 1896, as Fordham road).
5th. Thence easterly along said line for 115.67 feet.
6th. Thence easterly deflecting 43 degrees 45 minutes 30 seconds to the left for 321.03 feet.
7th. Thence easterly for 84.54 feet to the point of beginning.

PARCEL "B."
Beginning at a point in the eastern line of the Grand Boulevard and Concourse distant 380.03 feet north of the intersection of the eastern line of the Grand Boulevard and Concourse with the northern line of East One Hundred and Eighty-ninth street.

1st. Thence northerly along the eastern line of the Grand Boulevard and Concourse for 83.11 feet.
2d. Thence easterly deflecting 74 degrees 16 minutes 29 seconds to the right for 183.78 feet.
3d. Thence northeasterly deflecting 38 degrees 29 minutes 40 seconds to the left for 215.64 feet.
4th. Thence southeasterly deflecting 81 degrees 40 minutes 31 seconds to the right for 127.01 feet.
5th. Thence westerly curving to the left on the arc of a circle of 60 feet radius, whose radius drawn southwesterly from the southern extremity of the preceding course deflects 84 degrees 30 minutes 39 seconds to the right from said course for 79.78 feet.
6th. Thence southwesterly on a line tangent to the preceding course for 122.99 feet.
7th. Thence southwesterly deflecting 0 degrees 5 minutes 48 seconds to the left for 80.54 feet.
8th. Thence westerly for 534.46 feet to the point of beginning.

Fordham road is designated as a street of the first class, and is shown on section 17 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 27, 1895; in the office of the Register of the City and County of New York on December 29, 1895, and in the office of the Secretary of State of the State of New York on December 28, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST ONE HUNDRED AND SEVENTIETH STREET (although not yet named by proper authority), from Aqueduct avenue to Jerome avenue, in the Twenty-third and Twenty-fourth Wards of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonality of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East One Hundred and Seventieth street, from Aqueduct avenue to Jerome avenue, in the Twenty-third and Twenty-fourth Wards of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the western line of Ogden avenue distant 465.52 feet north of the intersection of the western line of Ogden avenue with the northern line of East One Hundred and Sixty-ninth street.
1st. Thence northerly along the western line of Ogden avenue for 60 feet.
2d. Thence northwesterly deflecting 89 degrees 41 minutes to the left for 378.54 feet to the eastern line of Aqueduct avenue (legally opened as Lind avenue).
3d. Thence southwesterly along the eastern line of Aqueduct avenue for 60.31 feet.
4th. Thence southeasterly for 385 feet to the point of beginning.

PARCEL "B."
Beginning at a point in the western line of Plimpton avenue distant 583.54 feet southwesterly from the intersection of the western line of Plimpton avenue with the western line of Boscobel avenue.

1st. Thence southwesterly along the western line of Plimpton avenue for 60 feet.
2d. Thence northwesterly deflecting 90 degrees to the right for 209.14 feet to the eastern line of Ogden avenue.
3d. Thence northeasterly along the eastern line of Ogden avenue for 60 feet.
4th. Thence southeasterly for 209.47 feet to the point of beginning.

PARCEL "C."
Beginning at a point in the eastern line of Plimpton avenue distant 548.38 feet southwesterly from the intersection of the eastern line of Plimpton avenue with the western line of Boscobel avenue.

1st. Thence southwesterly along the eastern line of Plimpton avenue for 60 feet.
2d. Thence southeasterly deflecting 90 degrees to the left for 200 feet to the western line of Nelson avenue.
3d. Thence northeasterly along the western line of Nelson avenue for 60 feet.
4th. Thence northwesterly for 200 feet to the point of beginning.

PARCEL "D."
Beginning at a point in the western line of Marcher avenue distant 228.40 feet southwesterly from the intersection of the western line of Marcher avenue with the western line of Boscobel avenue.

1st. Thence southwesterly along the western line of Marcher avenue for 60 feet.
2d. Thence northwesterly deflecting 90 degrees to the right for 195 feet to the eastern line of Nelson avenue.
3d. Thence northeasterly along the eastern line of Nelson avenue for 60 feet.
4th. Thence southeasterly for 195 feet to the point of beginning.

PARCEL "E."
Beginning at a point in the eastern line of Marcher avenue distant 186.21 feet southwesterly from the intersection of the eastern line of Marcher avenue with the western line of Boscobel avenue.

1st. Thence southerly along the eastern line of Marcher avenue for 82.77 feet.
2d. Thence easterly deflecting 90 degrees 47 minutes 20 seconds to the left for 228.57 feet to the western line of Boscobel avenue.
3d. Thence northwesterly along the western line of Boscobel avenue for 67.49 feet.
4th. Thence westerly deflecting 61 degrees 4 minutes 20 seconds to the left for 144.80 feet.
5th. Thence northwesterly for 44.47 feet to the point of beginning.

PARCEL "F."
Beginning at a point in the eastern line of Boscobel avenue distant 311.74 feet southeasterly from the intersection of the eastern lines of Boscobel and Marcher avenues.

1st. Thence southerly along the eastern line of Boscobel avenue for 115.67 feet.
2d. Thence northeasterly deflecting 128 degrees 19 minutes 6 seconds to the left for 385.04 feet.
3d. Thence northeasterly deflecting 7 degrees 9 minutes 17 seconds to the right for 87.51 feet.
4th. Thence easterly deflecting 46 degrees 42 minutes 43 seconds to the right for 177.56 feet to the western line of Inwood avenue.
5th. Thence northerly along the western line of Inwood avenue for 81.38 feet.
6th. Thence westerly deflecting 101 degrees 43 minutes 36 seconds to the left for 169.67 feet.
7th. Thence westerly deflecting 24 degrees 17 minutes 32 seconds to the right for 62.30 feet.
8th. Thence southwesterly deflecting 78 degrees 9 minutes 23 seconds to the left for 468.71 feet.
9th. Thence westerly deflecting 62 degrees 38 minutes 30 seconds to the right for 23.89 feet.
10th. Thence southerly for 4.81 feet to the point of beginning.

PARCEL "G."
Beginning at a point in the eastern line of Inwood avenue distant 1,837.42 feet northeasterly from the intersection of the eastern lines of Inwood avenue and Cromwell avenue.

1st. Thence northerly along the eastern line of Inwood avenue for 81.51 feet.
2d. Thence easterly deflecting 78 degrees 16 minutes 24 seconds to the right for 302.46 feet.
3d. Thence northeasterly curving to the right on the arc of a circle of 10 feet radius tangent to the preceding course for 14.38 feet to the western line of Jerome avenue.
4th. Thence southerly along the western line of Jerome avenue for 100.88 feet.
5th. Thence northwesterly curving to the left on the arc of a circle of 10 feet radius tangent to the preceding course for 17.03 feet.
6th. Thence westerly for 303.90 feet to the point of beginning.

East One Hundred and Seventieth street is designated as a street of the first class, and is shown on section 15 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 16, 1895; in the office of the Register of the City and County of New York on December 17, 1895, and in the office of the Secretary of State of the State of New York on December 17, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST TWO HUNDRED AND SECOND STREET (although not yet named by proper authority), from the Grand Boulevard and Concourse to Briggs avenue, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonality of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East Two Hundred and Second street, from the Grand Boulevard and Concourse to Briggs avenue, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

1st. Thence northerly along the western line of Briggs avenue for 57.65 feet.
2d. Thence westerly deflecting 119 degrees 51 minutes 35 seconds to the left for 875.52 feet.
3d. Thence southerly deflecting 88 degrees 56 minutes 10 seconds to the left for 50.01 feet.
4th. Thence easterly for 847.74 feet to the point of beginning.

East Two Hundred and Second street is designated as a street of the first class, and is shown on section 17 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 27, 1895; in the office of the Register of the City and County of New York on December 29, 1895, and in the office of the Secretary of State of the State of New York on December 28, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to TREMONT AVENUE (although not yet named by proper authority), from Tremont avenue to Park View Terrace (place), in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonality of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Tremont avenue, from Tremont avenue to Park View Terrace (place), in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."
Beginning at a point in the southern line of Burnside avenue distant 464.35 feet easterly from the intersection of the southern line of Burnside avenue with the eastern line of Jerome avenue.

1st. Thence easterly along the southern line of Burnside avenue for 60.57 feet.
2d. Thence southerly deflecting 97 degrees 51 minutes 8 seconds to the right for 915.98 feet.
3d. Thence southerly deflecting 19 degrees 57 minutes 43 seconds to the left for 90.92 feet to the northern line of Tremont avenue.
4th. Thence westerly along the northern line of Tremont avenue for 67.32 feet.
5th. Thence northerly for 922.41 feet to the point of beginning.

PARCEL "B."
Beginning at a point in the southern line of East One Hundred and Eighty-first street distant 460 feet easterly from the intersection of the southern line of East One Hundred and Eighty-first street with the eastern line of Jerome avenue.

1st. Thence easterly along the southern line of East One Hundred and Eighty-first street for 60 feet.
2d. Thence southerly deflecting 90 degrees 8 minutes 12 seconds to the right for 728.74 feet to the northern line of Burnside avenue.
3d. Thence westerly along the northern line of Burnside avenue for 60.57 feet.
4th. Thence northerly for 736.87 feet to the point of beginning.

PARCEL "C."
Beginning at a point in the northern line of East One Hundred and Eighty-first street distant 458.09 feet easterly from the intersection of the northern line of East One Hundred and Eighty-first street with the eastern line of Jerome avenue.

1st. Thence easterly along the northern line of East One Hundred and Eighty-first street for 60.16 feet.
2d. Thence northerly deflecting 94 degrees 13 minutes 8 seconds to the left for 663.22 feet.
3d. Thence northerly deflecting 0 degrees 8 minutes 27 seconds to the left for 60.04 feet.

4th. Thence northerly deflecting 0 degrees 40 minutes 33 seconds to the left for 400.16 feet.
5th. Thence northerly deflecting 0 degrees 5 minutes 50 seconds to the left for 60.08 feet.
6th. Thence northerly deflecting 1 degree 21 minutes 16 seconds to the left for 692 feet to the southern line of East One Hundred and Eighty-fourth street.
7th. Thence westerly along the southern line of East One Hundred and Eighty-fourth street for 60 feet.
8th. Thence southerly deflecting 90 degrees to the left for 693 feet.
9th. Thence southerly deflecting 1 degree 22 minutes 23 seconds to the right for 60.02 feet.
10th. Thence southerly deflecting 0 degrees 4 minutes 43 seconds to the right for 490.16 feet.
11th. Thence southerly deflecting 0 degrees 42 minutes 9 seconds to the right for 60.04 feet.
12th. Thence southerly for 656.42 feet to the point of beginning.

PARCEL "D."
Beginning at a point in the northern line of East One Hundred and Eighty-fourth street distant 452.13 feet easterly from the intersection of the northern line of East One Hundred and Eighty-fourth street with the eastern line of Jerome avenue.

1st. Thence easterly along the northern line of East One Hundred and Eighty-fourth street for 60 feet.
2d. Thence northerly deflecting 90 degrees to the left for 72 feet.
3d. Thence northerly deflecting 3 degrees 24 minutes 20 seconds to the left for 722.95 feet to the southern line of Fordham road.
4th. Thence westerly along the southern line of Fordham road for 60.74 feet.
5th. Thence southerly deflecting 98 degrees 56 minutes to the left for 730.60 feet.
6th. Thence southerly for 70.22 feet to the point of beginning.

PARCEL "E."
Beginning at a point in the southern line of Kingsbridge road distant 260 feet easterly from the intersection of the southern line of Kingsbridge road with the eastern line of Jerome avenue.

1st. Thence easterly along the southern line of Kingsbridge road for 60 feet.
2d. Thence southerly deflecting 89 degrees 23 minutes 3 seconds to the right for 1,898.88 feet to the northern line of Fordham road.
3d. Thence westerly along the northern line of Fordham road for 60 feet.
4th. Thence northerly for 1,900.30 feet to the point of beginning.

PARCEL "F."
Beginning at a point in the northern line of Kingsbridge road distant 260 feet easterly from the intersection of the northern line of Kingsbridge road with the eastern line of Jerome avenue.

1st. Thence easterly along the northern line of Kingsbridge road for 60 feet.
2d. Thence northerly deflecting 90 degrees 29 minutes 10 seconds to the left for 645.81 feet.
3d. Thence northerly deflecting 7 degrees 41 minutes 15 seconds to the right for 60.34 feet.
4th. Thence northerly deflecting 3 degrees 3 minutes 25 seconds to the left for 824.08 feet.
5th. Thence westerly deflecting 87 degrees 20 minutes to the left for 141.69 feet.
6th. Thence southwesterly curving to the right on the arc of a circle of 100 feet radius, whose radius, drawn northwesterly from the western extremity of the preceding course, deflects 17 degrees 41 minutes 38 seconds to the right from same, for 3.59 feet.
7th. Thence southwesterly on a line tangent to the preceding course for 60.14 feet.
8th. Thence easterly deflecting 109 degrees 45 minutes 5 seconds to the left for 105.39 feet.
9th. Thence southerly deflecting 87 degrees 20 minutes to the right for 772.67 feet.
10th. Thence southerly deflecting 2 degrees 52 minutes 23 seconds to the right for 60.52 feet.
11th. Thence southerly for 645.31 feet to the point of beginning.

Morris avenue is designated as a street of the first class, and is shown on sections 14, 17 and 20 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed as follows: In the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards on December 16 and 27, 1895; in the office of the Register of the City and County of New York on December 17 and 29, 1895, and in the office of the Secretary of State of the State of New York on December 17, 28 and 18, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SEVENTY EIGHTH STREET (although not yet named by proper authority), from Creston avenue to Rye avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 24, 1897.
RIGOLD D. WOODWARD, F. D. MAHONEY, J.
HENRY HAGGERTY, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to ARTHUR AVENUE (although not yet named by proper authority), from East One Hundred and Seventy-fifth street to East One Hundred and Seventy-seventh street, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, in the County Court-house, in the City of New York, on Friday, the 14th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Arthur Avenue, from East One Hundred and Seventy-fifth street to East One Hundred and Seventy-seventh street, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

PARCEL "A."

Beginning at a point in the southern line of East One Hundred and Seventy-seventh street (Tremont Avenue) which is the intersection of the northern and the eastern lines of Crotona Park.

- 1st. Thence southwesterly along the eastern line of Crotona Park for 1,017.66 feet.
- 2d. Thence southeasterly deflecting 85 degrees 59 minutes 42 seconds to the left for 60.15 feet.
- 3d. Thence northeasterly deflecting 93 degrees 56 minutes 3 seconds to the left for 60.21 feet.
- 4th. Thence northeasterly deflecting 8 degrees 17 minutes 37 seconds to the left for 408.91 feet to the southern line of East One Hundred and Seventy-seventh street (Tremont Avenue).
- 5th. Thence northwesterly along the southern line of East One Hundred and Seventy-seventh street for 60.03 feet to the point of beginning.

Arthur Avenue is designated as a street of the first class, and is shown on section 10 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on June 10, 1895; in the office of the Register of the City and County of New York on June 14, 1895, and in the office of the Secretary of State of the State of New York on June 15, 1895.

Dated New York, May 3, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of Michael T. Daly, Commissioner of Public Works of the City of New York, for and on behalf of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, in fee, to certain lots, pieces or parcels of land in the Twelfth and Twenty-third Wards of the City of New York, for the purpose of the construction of a drawbridge and approaches thereto, with the necessary abutments and arches, over the Harlem river, connecting the northern end of Third Avenue, in the Twelfth Ward of said city, with the southern end of Third Avenue, in the Twenty-third Ward of said city.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Apportionment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands, premises, property, rights and interests affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our fifth separate estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, premises, property, rights and interests affected thereby and having objections thereto, do present their said objections in writing, duly verified, to us at our office, Room No. 113, on the third floor of the Stewart Building, No. 280 Broadway, in said city, on or before the 11th day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 11th day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 10.30 o'clock in the forenoon.

Second—That the abstract of our said fifth estimate and assessment, together with our damage map, and also all the affidavits, estimates and other documents used by us in making our said report, have been deposited in the office of the Commissioner of Public Works, in the American Tract Society Building, corner of Nassau and Spruce streets, in said city, there to remain until the 12th day of June, 1897.

Third—That our fifth separate abstract of estimate and assessment embraces all the lands, premises, property, rights and interests shown upon our damage map as Damage Nos. 37 and 37A, in Block No. 1795, in the Twenty-third Ward of said city.

Fourth—That our fifth separate report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held at Part I. in the County Court-house, in the City of New York, on the 14th day of July, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, May 6, 1897.
DAVID LEVENTRITT, PETER BOWE,
ARTHUR INGRAHAM, Commissioners.
JAMES A. C. JOHNSON, Clerk.

In the matter of the application of the Board of Education, by the Counsel to the Corporation of the City of New York, relative to acquiring title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands in the block bounded by MOTT, BAYARD, MULBERRY AND CANAL STREETS, in the Sixth Ward of said city, duly selected and approved by said Board as a site for school purposes, under and in pursuance of the provisions of chapter 191 of the Laws of 1888, and the various statutes amendatory thereof.

PURSUANT TO THE PROVISIONS OF CHAPTER 191 of the Laws of 1888, and the various statutes amendatory thereof, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, at the County Court-house, in the City of New York, on the 28th day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter.

The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York to certain lands and premises, with the buildings thereon and the appurtenances thereto belonging, in the block bounded by Mott, Bayard, Mulberry and Canal streets, in the Sixth Ward of said city, in fee simple absolute, the same to be converted, appropriated and used to and for the purposes specified in said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, said property having been duly selected and approved by the Board of Education as a site for school purposes, under and in pursuance of the provisions of said chapter 191 of the Laws of 1888, and the various statutes amendatory thereof, being the following described lots, pieces or parcels of land, namely:

All those certain lots, pieces or parcels of land situate, lying and being in the Sixth Ward of the City of New York, bounded and described as follows:

Beginning at a point in the easterly line of the present site of Grammar School No. 23, which point is distant 50

feet northerly from the northerly line of Bayard street and 200 feet and 7 inches westerly from the westerly line of Mott street; running thence northerly and along the said easterly line of the present site of Grammar School No. 23 50 feet; thence easterly parallel with Bayard street 33 feet and 4 inches; thence southerly parallel with the said easterly line of the present site of Grammar School No. 23 50 feet; thence westerly parallel with Bayard street 33 feet and 4 inches to the point of place of beginning.

Dated New York, May 4, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening WENDOVER AVENUE (although not yet named by proper authority), from Third Avenue to the western line of Crotona Park, and from Boston road to the eastern line of Crotona Park, as the same has been heretofore laid out and designated as a first-class street or road in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 25th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 7th day of April, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act, and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 31st day of May, 1897, at 10.30 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 7, 1897.
ALFRED F. SELIGSBERG, FRANCIS D. HOYT,
ROBERT H. NEAMANN, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening TIMPSON PLACE (although not yet named by proper authority), from St. Joseph's street to Whitlock Avenue, as the same has been heretofore laid out and designated as a first-class street or road in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 25th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 7th day of April, 1897; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act, and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 31st day of May, 1897, at 10.30 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 7, 1897.
JOHN F. O'RYAN, JOHN LARKIN, JOHN H. SPELLMAN, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SEVENTY-SIXTH STREET (although not yet named by proper authority), from Monroe Avenue to Tremont Avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 25th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 7th day of April, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act, and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 31st day of May, 1897, at 10.30 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 7, 1897.
JOSEPH BLUMENTHAL, JOHN FRANKENHEIMER, LOUIS B. VAN GAASBECK, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SEVENTIETH STREET (although not yet named by proper authority), from Boston road to Prospect Avenue, and from Brown street to Charlotte street, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third and Twenty-fourth Wards of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 25th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 7th day of April, 1897; and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act, and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, Nos. 90 and 92 West Broadway, ninth floor, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 31st day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 7, 1897.
JAMES R. ELY, J. DE COURCEY IRELAND,
GEORGE G. BANZER, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening RYER AVENUE (although not yet named by proper authority), from Burnside Avenue to East One Hundred and Eighty-seventh street, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 25th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 7th day of April, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act, and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

ing the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act, and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 31st day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, May 7, 1897.
JAS. W. HAWES, JAS. O. FARRELL, ANDREW S. HAMERSLEY, JR., Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND FORTY-SIXTH STREET (although not yet named by proper authority), from Mott Avenue to River Avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections, in writing, to us, at our office, Nos. 90 and 92 West Broadway, ninth floor, in said city, on or before the 1st day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 1st day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 4 o'clock P.M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, at its office, Nos. 90 and 92 West Broadway, in the said city, there to remain until the 7th day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by the southerly side of East One Hundred and Forty-ninth street; on the south by the northerly side of East One Hundred and Forty-fourth street; on the east by the westerly side of Spencer place, and on the west by bulkhead-line, Harlem river; excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened, as such area is shown upon our benefit map deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III., of the State of New York, to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, April 30, 1897.
WM. C. REDDY, Chairman; WM. M. BLAKE,
CHARLES P. LATTING, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening CHEEVER PLACE (although not yet named by proper authority), from Mott Avenue to Gerard Avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections, in writing, to us, at our office, Nos. 90 and 92 West Broadway, ninth floor, in said city, on or before the 1st day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 1st day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 4 o'clock P.M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, at its office, Nos. 90 and 92 West Broadway, in the said city, there to remain until the 7th day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by a line drawn parallel to East One Hundred and Forty-fourth street and distant 800 feet northerly from the northerly side thereof from the westerly side of Railroad Avenue, East, or Park Avenue, to bulkhead-line, Harlem river; on the south by the middle line of the blocks between East One Hundred and Thirty-fifth street from the westerly side of Railroad Avenue, East, or Park Avenue, to bulkhead-line, Harlem river; on the east by the westerly side of Railroad Avenue, East, or Park Avenue, and on the west by bulkhead-line, Harlem river; excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened, as such area is shown upon our benefit map deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III., of the State of New York, to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, April 30, 1897.
EDWARD S. KAUFMAN, Chairman; FRANCIS S. McAVOY, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening WALTON AVENUE (although not yet named by proper authority), from East One Hundred and Sixty-seventh street to Tremont avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third and Twenty-fourth Wards of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 23, 1897.
EDWARD S. KAUFMAN, WM. J. BROWNE,
WILBUR LARREMORE, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening WOODLAWN ROAD (although not yet named by proper authority), from Jerome avenue to Bronx Park, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 23, 1897.
JOHN DEWITT WARNER, WM. H. MCCARTHY, WILLIAM M. LAWRENCE, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening and extending TOPPING STREET (although not yet named by proper authority), from Claremont Park to East One Hundred and Seventy-sixth street, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

quence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 23, 1897.
RIGNAL D. WOODWARD, T. E. SMITH,
THOS. BARTLEY, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening WEEKS STREET (although not yet named by proper authority), from Claremont Park to the Grand Boulevard and Concourse, as the same has been heretofore laid out and designated as a first-class street or road in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 23, 1897.
JOHN J. O'NEILL, ARTHUR BERRY, H. B. HALL, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SIXTY-EIGHTH STREET (although not yet named by proper authority), from Marcher avenue to Boscobel avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 23, 1897.
JOHN LARKIN, FRANCIS D. HOYT, WILLIAM T. GLOVER, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening WEST TWO HUNDRED AND THIRTIETH STREET (although not yet named by proper authority), from Riverdale avenue to Broadway, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 23, 1897.
ABRAM I. ELKUS, HENRY B. B. STAPLER, J. J. TOWNSEND, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of Michael T. Daly, Commissioner of Public Works of the City of New York, for and in behalf of the Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, in fee, to certain lots, pieces or parcels of land in the Twelfth and Twenty-third Wards of the City of New York, for the purpose of the construction of a draw-bridge and approaches thereto, with the necessary abutments and arches, over the Harlem river, connecting the northerly end of Third avenue, in the Twelfth Ward of said city, with the southerly end of Third avenue, in the Twenty-third Ward of said city.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Apportionment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants, of all houses and lots and improved and unimproved lands, premises, property, rights and interests affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our fourth separate estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, premises, property, rights and interests affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us, at our office, Room No. 213, on the third floor of the Stewart Building, No. 280 Broadway, in said city, on or before the 27th day of May, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 27th day of May, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 10 o'clock in the forenoon.

Second—That the abstract of our said fourth estimate and assessment, together with other documents used by us in making our said report, have been deposited in the office of the Commissioner of Public Works, in the American Tract Society Building, corner of Nassau and Spruce streets, in said city, there to remain until the 28th day of May, 1897.

Third—That our said fourth separate abstract of estimate and assessment embraces all the lands, premises, property, rights and interests within the tract bounded by Third avenue, One Hundred and Twenty-ninth street, the bulkhead-line of the Harlem river and the property now or late of William H. Payne, which are taken, acquired or affected in this proceeding, as specifically shown on our damage map deposited as aforesaid.

Fourth—That our fourth separate report herein will be presented to the Supreme Court of the State of New York, at a Special Term thereof, to be held in Part III., in the County Court-house, in the City of New York, on the 22d day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, April 21, 1897.
DAVID LEVENTRITZ, PETER BOWE, ARTHUR INGRAM, Commissioners.
JAMES A. C. JOHNSON, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, acting by and through the Board of Docks, relative to acquiring right

and title to and possession of the wharage rights, terms, easements, emoluments and privileges appurtenant to the bulkhead on the southerly side of South street, beginning at a point on said bulkhead seventy-two and thirty-eight hundredths (72.38) feet easterly from the easterly side of Catharine Slip extended; thence running easterly along the southerly side of South street one hundred and nine and sixty-nine hundredths (109.69) feet, necessary to be taken for the improvement of the water-front of the City of New York on the East river, pursuant to the plan heretofore adopted by the said Department of Docks and approved by the Commissioners of the Sinking Fund.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court bearing date the 29th day of January, 1897, Commissioners of Estimate and Assessment 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 wharf property, wharage rights, tenements and hereditaments required for the purpose by and in consequence of the acquisition of the same by the Mayor, Aldermen and Commonality of the City of New York, and more particularly set forth in the petition of the Mayor, Aldermen and Commonality of the City of New York, filed in the office of the Clerk of the City and County of New York, and of performing the trusts and duties required of us by chapter 15, title 1, and chapter 16, title 5, of the act entitled "An Act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the wharf property, wharage rights, tenements and hereditaments taken or to be taken for the said improvement of the water-front of the City of New York, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, No. 253 Broadway, in the City of New York, Rooms 312 and 313, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice and on and before May 17, 1897.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 3 o'clock in the afternoon of that day, to hear the said parties and persons in relation thereto. And at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto, and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of the Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 21, 1897.
WILBUR LARREMORE, Chairman, WILLIAM M. LAWRENCE, WILLIAM J. ELLIS, Commissioners.
JOHN A. HENNEBERRY, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening BELMONT AVENUE (although not yet named by proper authority), from Tremont avenue to the lands of St. John's College, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 17th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonality of the City of New York.

Dated New York, April 22, 1897.
EUGENE A. PHILBIN, WILLIAM FITZPATRICK, JOHN DE WITT WARNER, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonality of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND EIGHTY-SECOND STREET (although not yet named by proper authority), from Jerome avenue to Valentine avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonality 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 17th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 22, 1897.
JOSEPH BLUMENTHAL, CHARLES BRANDT,
Jr., J. ASPINWALL HODGE, Jr., Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND EIGHTY-SEVENTH STREET (although not yet named by proper authority), from the New York and Harlem Railroad to Marion avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 16th day of August, 1895, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 28th day of August, 1895, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, Nos. 90 and 92 West Broadway, ninth floor, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 18th day of May, 1897, at 11 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 22, 1897.
H. W. VANDERPOEL, SAMUEL GOLD-
STICKER, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening CROMWELL AVENUE (although not yet named by proper authority), from East One Hundred and Fiftieth street to Jerome avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 17th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 22, 1897.
RIGNAL D. WOODWARD, DENNIS McEVOY,
G. W. THYM, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening MOHAWK AVENUE (although not yet named by proper authority), from Hunts Point road to the Bronx river, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 17th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 22, 1897.
GUSTAVE S. DRACHMAN, MICHAEL SEX-
TON, MICHAEL COLEMAN, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening HUGHES AVENUE (although not yet named by proper authority), from Tremont avenue to the land of the St. John's College, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 17th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 22, 1897.
JAS. W. HAWES, WM. F. HULL, JOHN DE
WITT WARNER, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening and extending WALTON AVENUE (although not yet named by proper authority), from East One Hundred and Fiftieth street, as the same has been heretofore

laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 17th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 22, 1897.
EDWARD S. KAUFMAN, JOHN H. KNOEPEL,
JAMES M. VARNUM, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND THIRTIETH STREET (although not yet named by proper authority), from St. Ann's avenue to East One Hundred and Thirtieth street, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 24, 1897.
WINTHROP PARKER, THOMAS F. WOODS, J.
D. ROMAN BALDWIN, Commissioners.
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening CLIFFORD PLACE (although not yet named by proper authority), from Jerome avenue to Walton avenue, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III, thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as Clifford place, from Jerome avenue to Walton avenue, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz:

Beginning at a point in the eastern line of Jerome avenue distant 405.02 feet northwesterly from the inter-

section of the eastern line of Jerome avenue with the northern line of East One Hundred and Seventy-fourth street.

1st. Thence northeasterly along the eastern line of Jerome avenue for 60 feet.

2d. Thence southeasterly deflecting 90 degrees to the right for 460 feet.

3d. Thence southwesterly deflecting 90 degrees to the right for 60 feet.

4th. Thence northwesterly for 460 feet to the point of beginning.

Clifford place is designated as a street of the first class, and is shown on section 14 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 16, 1895; in the office of the Register of the City and County of New York on December 17, 1895, and in the office of the Secretary of State of the State of New York on December 17, 1895.

Dated New York, May 10, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening KEMBLE STREET (although not yet named by proper authority), from Mount Vernon avenue to Verio avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections, in writing, to us, at our office, Nos. 90 and 92 West Broadway, ninth floor, in said city, on or before the 28th day of May, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week days next after the said 28th day of May, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 4 o'clock P. M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, at its office, Nos. 90 and 92 West Broadway, ninth floor, in the said city, there to remain until the 1st day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by a line drawn parallel to Kemble (East Two Hundred and Thirty-eighth street) street and distant 100 feet northerly from the northerly side thereof from Mt. Vernon avenue to the easterly side of Verio avenue; thence by a line drawn at right angles to Verio avenue at its intersection with said last-mentioned line parallel to Kemble (East Two Hundred and Thirty-eighth street) street to a line drawn parallel to Verio avenue, and distant 100 feet easterly from the easterly side thereof; on the south by a line drawn parallel to Kemble (East Two Hundred and Thirty-eighth street) street and distant 100 feet southerly from the southerly side thereof from Mount Vernon avenue to the easterly side of Verio avenue; thence by a line drawn at right angles to Verio avenue at its intersection with said last mentioned line parallel to Kemble (East Two Hundred and Thirty-eighth street) street to a line drawn parallel to Verio avenue and distant 100 feet easterly from the easterly side thereof; on the east by a line drawn parallel to Verio avenue and distant 100 feet easterly from the easterly side thereof, and on the west by the easterly side of Mount Vernon avenue, excepting from said area all streets, avenues and roads or portions thereof heretofore legally opened as such area is shown upon our benefit map deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III, of the State of New York, to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that thereafter, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, April 28, 1897.
EDWARD S. KAUFMAN, Chairman; ANDER-
SON PRICE, H. B. HALL, Commissioners.
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SIXTY-THIRD STREET (formerly Coleman street) (although not yet named by proper authority), from Ogden avenue to Bremer avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises not required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10 o'clock

o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 24, 1897.
SAM'L E. DUFFEY, EDWARD J. KIELY, JOHN D. CRIMMINS, JR., Commissioners,
JOHN P. DUNN, Clerk.

In the matter of the application of the Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title to the wharfage rights, terms, emoluments and privileges appurtenant to three hundred and three feet ten inches of bulkhead on the southerly side of South street and all wharfage rights, terms, emoluments and privileges appurtenant to Pier 39, East river, not now owned by the City of New York, necessary to be taken for the improvement of the water-front of the City of New York on the East river, pursuant to the plan heretofore adopted by the said Department of Docks and approved by the Commissioners of the Sinking Fund.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court bearing date the 25th day of March, 1895, Commissioners of Estimate and Assessment 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 wharf property, wharfage rights, tenements and hereditaments required for the purpose by and in consequence of the acquisition of the same by the Mayor, Aldermen and Commonalty of the City of New York, and more particularly set forth in the petition of the Mayor, Aldermen and Commonalty of the City of New York, filed in the office of the Clerk of the City and County of New York, and of performing the trusts and duties required of us by chapter 15, title 1, and chapter 16, title 5, of the act entitled "An Act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the wharf property, wharfage rights, tenements and hereditaments taken or to be taken for the said improvement of the water-front of the City of New York, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, No. 253 Broadway, in the City of New York, Rooms 312 and 313, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice, and on and before May 17, 1897.

And we, the said Commissioners, will be in attendance at our said office, on the 17th day of May, 1897, at 3.30 o'clock in the afternoon of that day, to hear the said parties and persons in relation thereto. And at such time and place as we may appoint, we will hear such owners in relation thereto, and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of the Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 21, 1897.
LAWRENCE GODKIN, Chairman, WILLIAM F. KEATING, LOUIS V. BELL, Commissioners,
JOHN A. HENNEBERRY, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements, and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SIXTIETH STREET (formerly Denman place) (although not yet named by proper authority), from Cauldwell avenue to Prospect avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An Act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10.30 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 24, 1897.
LOUIS SEIDE, J. HENRY HAGGERTY, LLOYD MCK. GARRISON, Commissioners,
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND FORTY-SECOND STREET (although not yet named by proper authority), from Powers avenue to the Southern Boulevard, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 18th day of March, 1897, Commissioners of Estimate and Assessment for

the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An Act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 24, 1897.
BENJAMIN BARKER, JR., JOHN M. DAILY, JOHN D. CRIMMINS, JR., Commissioners,
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND THIRTY-FIRST STREET (although not yet named by proper authority), from St. Ann's avenue to Willow avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An Act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10.30 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 24, 1897.

JOHN LARKIN, WILLIAM F. SCHNEIDER, EDWARD D. O'BRIEN, Commissioners,
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SIXTY-FOURTH STREET (although not yet named by proper authority), from Summit avenue to Anderson avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-third Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT WE, THE undersigned, were appointed by an order of the Supreme Court, bearing date the 11th day of March, 1897, Commissioners of Estimate and Assessment for the purpose of making a just and equitable estimate and assessment of the loss and damage, if any, or of the benefit and advantage, if any, as the case may be, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening the above-mentioned street or avenue, the same being particularly set forth and described in the petition of The Mayor, Aldermen and Commonalty 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 City and County of New York on the 31st day of March, 1897, and a just and equitable estimate and assessment of the value of the benefit and advantage of said street or avenue so to be opened or laid out and formed, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the said respective lands, tenements, hereditaments and premises required for the purpose of opening, laying out and forming the same, but benefited thereby, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed therefor, and of performing the trusts and duties required of us by chapter 16, title 5, of the act entitled "An Act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

York," passed July 1, 1882, and the acts or parts of acts in addition thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening the said street or avenue, or affected thereby, and having any claim or demand on account thereof, are hereby required to present the same, duly verified, to us, the undersigned Commissioners of Estimate and Assessment, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the City of New York, with such affidavits or other proofs as the said owners or claimants may desire, within twenty days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 19th day of May, 1897, at 10 o'clock in the forenoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The Mayor, Aldermen and Commonalty of the City of New York.

Dated New York, April 24, 1897.
JOHN G. H. MEYERS, MICHAEL L. BOUILLON, EDWARD L. PATTERSON, Commissioners,
HENRY DE FOREST BALDWIN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to EAST ONE HUNDRED AND SEVENTY-THIRD STREET (although not yet named by proper authority), from Weeks street to the Grand Boulevard and Concourse, in the Twenty-fourth Ward of the City of New York, as the same has been heretofore laid out and designated as a first-class street or road.

PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that an application will be made to the Supreme Court of the State of New York, at a Special Term of said Court, to be held at Part III. thereof, in the County Court-house, in the City of New York, on Friday, the 21st day of May, 1897, at the opening of the Court on that day, or as soon thereafter as counsel can be heard thereon, for the appointment of Commissioners of Estimate and Assessment in the above-entitled matter. The nature and extent of the improvement hereby intended is the acquisition of title by The Mayor, Aldermen and Commonalty of the City of New York, for the use of the public, to all the lands and premises, with the buildings thereon and the appurtenances thereto belonging, required for the opening of a certain street or avenue known as East One Hundred and Seventy-third street, from Weeks street to the Grand Boulevard and Concourse, in the Twenty-fourth Ward of the City of New York, being the following-described lots, pieces or parcels of land, viz.:

Beginning at a point in the eastern line of the Grand Boulevard and Concourse distant 127.98 feet northerly from the intersection of the eastern line of the Grand Boulevard and Concourse with the northern line of the eastern approach to the same at Belmont street.

- 1st. Thence northerly along the eastern line of the Grand Boulevard and Concourse for 61.03 feet.
- 2d. Thence easterly deflecting 79 degrees 28 minutes 35 seconds to the right for 1,046.93 feet to the western line of East One Hundred and Seventy-third street as legally opened.
- 3d. Thence southerly along the western line of said East One Hundred and Seventy-third street for 60 feet.
- 4th. Thence westerly for 1,058.08 feet to the point of beginning.

East One Hundred and Seventy-third street is designated as a street of the first class, and is shown on section 14 of the Final Maps and Profiles of the Twenty-third and Twenty-fourth Wards of the City of New York, filed in the office of the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth Wards of the City of New York on December 16, 1895; in the office of the Register of the City and County of New York on December 17, 1895, and in the office of the Secretary of State of the State of New York on December 17, 1895.

Dated New York, May 10, 1897.
FRANCIS M. SCOTT, Counsel to the Corporation,
No. 2 Tryon Row, New York City.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title and to possession of the uplands, lands, lands under water, wharf property, rights, terms, emoluments and privileges of and to the uplands, lands and lands under water necessary to be taken for the improvement of the water-front of the City of New York on the North river, between Bethune and West Twelfth streets, and between West street and Thirteenth avenue, pursuant to the plan heretofore adopted by the said Board of Docks and approved by the Commissioners of the Sinking Fund.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands or wharf property, and all persons interested therein, or in any rights, privileges or interests pertaining thereto, affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our preliminary report and our estimate and assessment, and that all persons interested in this proceeding, or in any of the uplands, lands, lands under water, premises, buildings and wharf property affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us, at our office, Rooms 312 and 313, No. 253 Broadway, New York City, on or before the 17th day of May, 1897; that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 17th day of May, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 10 o'clock A. M.

Second—That the abstract of our said estimate and assessment, together with our damage map and also all the affidavits, estimates and other documents used by us in making our report, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, at the office of said Bureau, at Nos. 90 and 92 West Broadway, in the said city, there to remain until the 17th day of May, 1897.

Third—That our report herein will be presented to the Supreme Court of the State of New York, at a Special Term, Part III. thereof, to be held in the County Court-house, in the City of New York, on the 21st day of June, 1897, at the opening of Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed, and for such other and further relief as may be just and meet.

Dated New York, April 14, 1897.
CHAS. W. GOULD, Chairman; MICHAEL COLEMAN, JOHN DELAHUNTY, Commissioners,
JOHN A. HENNEBERRY, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening and extending ONE HUNDRED AND SEVENTY-EIGHTH STREET (although not yet named by proper authority), between Kingsbridge road and Amsterdam avenue, in the Twelfth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT THE BILL of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter will be presented for taxation to one of the Justices of the Supreme Court, at a Special Term thereof, Part I., to be held in and for the City and County of New York, at the

County Court-house, in the City of New York, on the 19th day of May, 1897, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the City and County of New York, there to remain for and during the space of ten days, as required by law.

Dated New York, May 4, 1897.
BENJAMIN BARKER, JR., SAMUEL W. MILBANK, DAVID D. STEVENS, Commissioners,
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening EAST ONE HUNDRED AND SEVENTY-FOURTH STREET (although not yet named by proper authority), from the Southern Boulevard and Boston road to the Bronx river, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT THE BILL of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter will be presented for taxation to one of the Justices of the Supreme Court, at a Special Term thereof, Part I., to be held in and for the City and County of New York, at the County Court-house, in the City of New York, on the 17th day of May, 1897, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the City and County of New York, there to remain for and during the space of ten days, as required by law.

Dated New York, May 1, 1897.
WILLIAM J. MORAN, PETER A. LALOR, JOHN MCKRILLISK, Commissioners,
JOHN P. DUNN, Clerk.

In the matter of the application of The Mayor, Aldermen and Commonalty of the City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the purpose of opening NAPIER AVENUE (although not yet named by proper authority), from Eastchester avenue to Mount Vernon avenue, as the same has been heretofore laid out and designated as a first-class street or road, in the Twenty-fourth Ward of the City of New York.

NOTICE IS HEREBY GIVEN THAT THE BILL of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter will be presented for taxation to one of the Justices of the Supreme Court, at a Special Term thereof, Part I., to be held in and for the City and County of New York, at the County Court-house in the City of New York, on the 19th day of May, 1897, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the City and County of New York, there to remain for and during the space of ten days, as required by law.

Dated New York, May 5, 1897.
WILBER MCBRIDE, MORRIS HERRMANN, HENRY M. ALEXANDER, JR., Commissioners,
JOHN P. DUNN, Clerk.

In the matter of the application of the Board of Street Opening and Improvement of the City of New York, for and on behalf of the Mayor, Aldermen and Commonalty of the City of New York, relative to the opening of WADSWORTH AVENUE (although not yet named by proper authority), from Kingsbridge road near One Hundred and Seventy-third street to Eleventh avenue, in the Twelfth Ward of the City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, Nos. 90 and 92 West Broadway (ninth floor), in said city, on or before the 1st day of June, 1897, and that we, the said Commissioners, will hear parties so objecting within the ten week-days next after the said 1st day of June, 1897, and for that purpose will be in attendance at our said office on each of said ten days at 3 o'clock P. M.

Second—That the abstract of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates and other documents used by us in making our report, have been deposited with the Commissioner of Public Works of the City of New York, at his office, No. 150 Nassau street, in the said city, there to remain until the 2d day of June, 1897.

Third—That the limits of our assessment for benefit include all those lots, pieces or parcels of land, situate, lying and being in the City of New York, which taken together are bounded and described as follows, viz.: On the north by a line drawn parallel to Fort George avenue and distant 100 feet northerly from the northerly side thereof from a point on said parallel line and distant about 660 feet easterly from the easterly side of Eleventh avenue to the easterly side of Eleventh avenue; thence by a line drawn at right angles to the point of intersection of said parallel line with the easterly side of Eleventh avenue to a line drawn parallel to Eleventh avenue and distant 100 feet westerly from the westerly side thereof; thence by a line drawn parallel to Fairview avenue and distant 100 feet northerly from the northerly side thereof to Kingsbridge road; on the south by One Hundred and Seventieth street; on the east by a line drawn parallel to and distant easterly 100 feet from the easterly side of Eleventh avenue from One Hundred and Seventieth street to a point 253 feet 7 inches north of One Hundred and Ninetieth street; thence from said last-mentioned point to the line drawn parallel to Fort George avenue and distant northerly 100 feet northerly therefrom and at a point on said line measured easterly from the easterly side of Eleventh avenue about 660 feet; on the west by a line drawn parallel to Kingsbridge road and distant westerly about 150 feet from the westerly side thereof from One Hundred and Seventieth street to the northerly side of One Hundred and Seventy-fifth street produced; thence by the east side of Kingsbridge road from the northerly side of One Hundred and Seventy-fifth street to the northern boundary of area of assessment; excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened as such area is shown upon our benefit map deposited as aforesaid.

Fourth—That our report herein will be presented to a Special Term of the Supreme Court, Part III. of the State of New York, to be held in and for the City and County of New York at the County Court-house, in the City of New York, on the 25th day of June, 1897, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that the said report be confirmed.

Dated New York, March 31, 1897.
ISAAC FROMME, Chairman; SAMUEL W. MILBANK, J. RHINELANDER DILLON, Commissioners,
JOHN P. DUNN, Clerk.

THE CITY RECORD.

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