

# THE CITY RECORD.

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## THE CITY RECORD.

OFFICIAL JOURNAL OF THE CITY OF NEW YORK.

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### BOARD OF CITY RECORD.

GEORGE B. MCCLELLAN, MAYOR.

FRANCIS K. PENDLETON, CORPORATION COUNSEL.

HERMAN A. METZ, COMPTROLLER.

PATRICK J. TRACY, SUPERVISOR.

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## PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT.

No. 154 NASSAU STREET, NEW YORK.

### CALENDAR OF HEARINGS.

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

Tuesday, January 5—11:30 a. m.—Room 310.—Regular meeting of the Public Service Commission for the First District.

2:30 p. m.—Room 305.—Order No. 754.—BROOKLYN UNION ELEVATED RAILROAD COMPANY.—“Additional station signs and stairways.”—Commissioner Bassett.

2:30 p. m.—Room 310.—Case 1007 under Order No. 615.—INTERBOROUGH RAPID TRANSIT COMPANY.—“Inadequate facilities at stations on elevated lines in The Bronx.”—Commissioner Eustis.

Wednesday, January 6—11:00 a. m.—Mr. Harkness' Room.—CITY OF NEW YORK AND BRADLEY CONTRACTING COMPANY.—“Arbitration of Determination of Henry B. Seaman, Chief Engineer.”—L. T. Harkness of Counsel.

2:30 p. m.—Commissioner Maltbie's Room.—ELECTRIC LIGHT & POWER COMPANIES.—“General Investigation.”—Commissioner Maltbie.

3:30 p. m.—Room 310.—Case 772.—LONG ISLAND RAILROAD COMPANY.—“Compliance by Company with requirements of Final Order 772.”—Commissioner Bassett.

3:30 p. m.—Room 305.—Case 1013.—METROPOLITAN STREET RAILWAY COMPANY AND RECEIVERS.—“Noise made by operation of cars at the curve at 53rd street and 6th avenue.”—Commissioner Eustis.

4:00 p. m.—Commissioner Maltbie's Room.—Case 1021.—INTERBOROUGH RAPID TRANSIT COMPANY.—“Erection of subway station at 190th street and Broadway.”—Commissioner Maltbie.

4:00 p. m.—Room 310.—Order 420.—CONEY ISLAND AND BROOKLYN RAILROAD COMPANY.—“Application for permission to issue \$462,000 additional bonds.”

Thursday, January 7—10:30 a. m.—Mr. Harkness' Room.—CITY OF NEW YORK AND DEGNON CONTRACTING COMPANY.—“Arbitration of determination of Henry B. Seaman, Chief Engineer.”—L. T. Harkness of Counsel.

Friday, January 8—11:30 a. m.—Room 310.—Regular meeting of the Public Service Commission for the First District.

2:00 p. m.—Room—305.—INTERBOROUGH RAPID TRANSIT CO.—“Block signal systems—Subway Local Tracks.”—Chairman Willcox.

2:30 p. m.—Room 310.—Order 790.—NEW YORK, NEW HAVEN & HARTFORD R. R. Co.—“Unsanitary methods in loading cars in Harlem River yards.”—Commissioner Eustis.

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

## BOARD OF REVISION OF ASSESSMENTS.

A meeting of the Board of Revision of Assessments was held in the Council Chamber, City Hall, on Thursday, December 31, 1908, at 11.08 o'clock a. m.

Present—N. Taylor Phillips, Deputy and Acting Comptroller, and George L. Sterling, Assistant and Acting Corporation Counsel.

On motion of the Assistant and Acting Corporation Counsel, the minutes of meeting of December 24, 1908, were approved as printed in the CITY RECORD.

### BOROUGH OF QUEENS.

Sewer in Eleventh Avenue.

The assessment list for sewer in Eleventh avenue, from Broadway to Newtown road, First Ward, and objections of John P. Delury, filed by A. C. & F. W. Hottenroth, attorneys, and of Max E. Lange, filed by Hugo Hirsh, attorney, were presented by the Deputy and Acting Comptroller, having been received from the Board of Assessors under date of December 28, 1908.

Messrs. Hottenroth, attorneys, by representative, were heard in opposition to the assessment.

On motion of the Assistant and Acting Corporation Counsel, the assessment list was referred back to the Board of Assessors with instructions to reduce the assessment pro rata by 15 per cent., and to confirm the assessment as so reduced, all the members present voting in the affirmative.

### BOROUGH OF BROOKLYN.

Regulating, etc., Warehouse Avenue.

The Deputy and Acting Comptroller presented the assessment list for regulating, grading, curbing, and laying cement sidewalks in Warehouse avenue, between Surf and Neptune avenues, and objections of the South Brooklyn Railway Company, filed by George D. Yeomans, attorney, and of Lorenzo S. Vastola, in person, and communication of the President of the Borough of December 15, 1908, transmitting copy of report of the Chief Engineer of the Bureau of Highways in regard thereto, received from the Board of Assessors under date of December 28, 1908.

No one appearing in opposition after notice, on motion of the Assistant and Acting Corporation Counsel, the objections filed against the assessment were overruled and the assessment list was confirmed, all the members present voting in the affirmative.

### BOROUGH OF THE BRONX.

Sewer in Boston Road.

The assessment list for sewer in Boston road, between Southern Boulevard and East One Hundred and Seventy-seventh street, and objections as follows: Abraham Bendrick et al., by Joseph A. Flannery, attorney; City and County Contract Company and Regent Realty Company by A. C. & F. W. Hottenroth, attorneys; John Bogart, by Walter H. Martin, attorney; Eliza Jane Pierce and Andrew J. Lounsbury, by Charles P. Hallock, attorney; Frank Eberhart, by Adolph and Henry Bloch, attorneys; Pilgrim Baptist Church, by De La Mare & Morrison, attorneys, were presented by the Deputy and Acting Comptroller, having been received from the Board of Assessors under date of December 28, 1908.

Messrs. Joseph A. Flannery and A. C. & F. W. Hottenroth, attorneys, by representatives, and Mr. Charles P. Hallock and Mr. De La Mare, attorneys, were heard in opposition to the assessment.

No others appearing in opposition after notice, on motion of the Assistant and Acting Corporation Counsel, the assessment list was referred back to the Board of Assessors with instructions to reduce the assessment on Lot No. 57, in Block 3005, Map 29, in the amount of \$230, on the ground that said amount charged against the Church property includes 10 feet of Lot No. 58, Map 28, the title to which is in The City of New York, and to confirm the same as so reduced, all the members present voting in the affirmative.

### BOROUGH OF BROOKLYN.

Regulating, Paving, etc., Gatling Place.

The assessment list for regulating, grading, curbing, paving and repaving sidewalks with cement on Gatling place, between Eighty-sixth and Ninety-second streets, and objections of Andrew W. Proctor and others, filed by John R. McMullen, attorney; Daniel O. Michel and others, filed by A. C. & F. W. Hottenroth, attorneys; Eliza Hanks and others, filed by Hugo Hirsh, attorney, with applications for awards for damages, referred back to the Board of Assessors at meeting of January 9, 1908, with instructions to confer with the Corporation Counsel in regard to the objections filed against the assessment, were presented by the Deputy and Acting Comptroller, having been returned by the said Board under date of December 28, 1908, together with the opinion of the Corporation Counsel in said matter, dated December 30, 1908.

Mr. J. R. McMullen, attorney, appeared.

No others appearing after notice, on motion of the Assistant and Acting Corporation Counsel, the objections filed against the assessment were overruled and the assessment list was confirmed, all the members present voting in the affirmative.

At 12 o'clock m., on motion of the Assistant and Acting Corporation Counsel, the Board adjourned for one week, all the members present voting in the affirmative.

HENRY J. STORRS, Chief Clerk, Board of Revision of Assessments.

## PUBLIC ADMINISTRATOR.

Statement and Return of Moneys Received by William M. Hoes, Public Administrator of the County of New York, for the Month of December, 1908, Rendered to the Comptroller in Pursuance of the Provisions of Sections 56 and 216 of New York City Consolidation Act of 1882:

Date of Decree.	Estate of	Intestate Estates.	Com-missions.	Total Amount.
Nov. 24, 1908	Matilda C. Peterson.....	.....	\$40 10	\$40 10
Nov. 24, 1908	Peter G. Schanz.....	.....	28 23	28 23
Nov. 24, 1908	Karolina Betz.....	.....	57 68	57 68
Nov. 20, 1908	Lucien Vignal.....	.....	55 81	55 81
.....	Laura M. Slaten.....	.....	19 49	19 49
.....	Henry Bergman.....	.....	6 22	6 22
.....	Mimi Svenson.....	.....	53	53
Nov. 30, 1908	Pauline Seiler.....	.....	73 52	73 52
Nov. 30, 1908	Charles Johnson.....	.....	24 62	24 62
.....	Emil Duhm.....	.....	2 75	2 75
.....	Benj. H. Pratt.....	.....	14 89	14 89
.....	John P. Gerrior.....	.....	8 10	8 10
Nov. 30, 1908	Jim Lee.....	.....	35 75	35 75
.....	Edward Black.....	.....	48	48
Dec. 1, 1908	William Stevens.....	.....	186 50	186 50
.....	Edward O. Robinson.....	.....	7 13	7 13
.....	Wung Li Chung.....	.....	5 16	5 16
.....	Abigail Wray.....	.....	11 76	11 76

Date of Decree.	Estate of	Intestate Estates.	Com-missions.	Total Amount.
.....	Kasper F. Hermesdorf.....	.....	132 10	132 10
.....	Thomas Dundon.....	.....	64 14	64 14
.....	Charles Barrett.....	.....	102 58	102 58
.....	George A. J. Lee.....	.....	7 49	7 49
.....	Carl Berges.....	.....	297 46	297 46
.....	Jennie McKenna.....	.....	13 57	13 57
.....	Bernard Cleary.....	\$86 22	31 38	117 60
Dec. 16, 1908	Louise Laib.....	.....	67 99	67 99
Dec. 16, 1908	Bessie J. Foster.....	.....	70 45	70 45
Dec. 16, 1908	Marie Brader.....	.....	31 52	31 52
Dec. 18, 1908	Peter Nielson.....	.....	91 12	91 12
.....	Mary Conniff.....	.....	4 10	4 10
.....	Bridget Connery.....	.....	1 76	1 76
.....	Mary Cusack.....	.....	10 61	10 61
Estates received from Coroners September 17, 1908, as per list attached.....		71 08	3 74	74 82
Sale of effects received from Coroners, as per list attached..		17 53	92	18 45
Sale of effects received from Bellevue Hospital, as per list attached .....		8 68	46	9 14
Estates received from Commissioner of Charities September 14, 1908, as per list attached.....		36 79	1 94	38 73
Total.....		\$220 30	\$1,512 05	\$1,732 35

Cash Received from Coroners of Manhattan, September 17, 1908.

Joseph Burns .....	\$0 02	Unknown man, Thirty-ninth street and Eighth avenue .....	12
Archibald Cameron .....	1 00	Unknown man, One Hundred and Twenty-second street, North River.....	1 15
William Daniel .....	50	Unknown man, No. 88 Bowery.....	04
John Lee (Chinaman), No. 30½ Pell street .....	1 00	Unknown man, Canal street, North River.....	01
John Miner .....	92	Unknown man, Eighth street, East River..	1 11
Michael Reries .....	45	Thoen E. Aminot.....	06
John B. Toni.....	17	Frank Aucker.....	1 67
Unknown man, No. 318 East Fifth street, foreign coin, no value.....	..	R. Fox .....	03
Unknown man, Seventy-fifth street, North River .....	03	John P. Heins.....	95
Unknown man, One Hundred and Fourth street and First avenue.....	9 19	William P. Johnson.....	1 45
Unknown man, Fourth street, East River..	18	Moses Karc .....	3 55
Michael Arrivello .....	4 00	Michael McCullough .....	11
Vincent Boorelli .....	3 15	Thomas McGuire .....	20
Hugo Berg .....	55	Henry Pleger .....	20
John Collins .....	35	Max Rose .....	07
Carmelo Coppradana, \$1.68, and foreign coin worth 67 cents.....	2 35	Joseph Wance .....	6 45
Gus Carlson .....	1 80	Unknown man, Thirteenth street and North River .....	1 81
Henry Edward .....	27	Unknown man, Central Park and Sixty-ninth street .....	05
Milton Friedberg .....	18	Unknown woman, One Hundred and Forty-fourth street and Amsterdam avenue.	05
Nicholas Herricks .....	33	Unknown man, East One Hundred and Thirtieth street .....	50
John Hewitt .....	55	Unknown man, Pier 9, East River.....	1 00
Patrick Kearns .....	13 20	Unknown man, Pier 6, North River.....	60
Koray Labaina .....	77	Unknown man, Park place and Broadway.	15
Fred Mundell .....	75	Unknown man, Nineteenth street and East River .....	40
Herman H. Newl.....	1 25	Unknown man, Brooklyn Bridge.....	10
John O'Brien .....	4 00	Unknown man, Forty-seventh street and North River .....	1 00
Walter Powers .....	32	Total .....	\$74 82
Unknown man, One Hundred and Twenty-fourth street and Third avenue.....	41		
Unknown man, Canal street, North River.	4 00		
Unknown man, Pier 23, North River.....	25		
Unknown man, No. 52 Amsterdam avenue.	05		

Net Proceeds of Sale of Effects Received from Coroners' Office, June 30, 1908.

Margaret Gaffney.....	\$0 82	Albert Kammerer.....	1 54
Estate of Hummel.....	1 00	Henry D. Porter.....	2 05
Kate McManus.....	64	James Jacobson.....	3 20
George James.....	73	Thomas E. Schneider.....	4 56
Geo. Boswell.....	1 27	George A. Green.....	91
Nathan Margules.....	82	Total.....	\$18 45
Frank Carries.....	91		

Net Proceeds of Sale of Effects Received from Bellevue Hospital.

Joseph Kowae .....	\$0 68	Henry Legrand.....	46
Elka Isaacson.....	68	Abraham Isaacs.....	46
Herman Vogel.....	1 14	Joseph Sweeting.....	32
Vincenzo Pumelli.....	23	Julia Molloy.....	2 28
Mary Peccadella.....	23	John Sager.....	32
Maria Foretta.....	10	Jeliani Calafranceson.....	32
Maria Osle.....	18	James O'Neill.....	46
Clara Pheffer.....	18	Raefala Fasciani.....	18
Margaret De Mier.....	23	Total.....	\$9 14
Antonette Ruggem.....	23		
Paul Frehmann, or Fuhmann.....	46		

Cash Received from Commissioner of Charities, September 4, 1908.

John Monaghan.....	\$1 60	Obie Bethune.....	3 00
Frank Ruggert.....	8 00	John G. Scherer.....	7 00
Martha Acker.....	24	Mary McGuckin.....	27
Lizzie Moran.....	36	James Ryan.....	10
Timothy Sullivan.....	09	Mary Jones.....	51
Annie Montoroff.....	05	Patrick Reilly.....	27
Frances Phillips.....	15 00	Franz Kracke.....	20
Theodore John.....	10	Total.....	\$38 73
Maggie Schneider, or Strucker.....	1 94		

BOROUGH OF RICHMOND.

LOCAL BOARD, STATEN ISLAND DISTRICT.

Meeting, December 15, 1908, 10.30 a. m.  
Present—Aldermen Collins, Rendt and Cole; President Cromwell.  
The minutes of the meeting of December 1 were approved.

Petition 818F.

To widen and regrade Richmond terrace between Harbor road and Arlington avenue, Mariners Harbor, Ward 3, as proposed to be laid out on the map or plan of The City of New York in connection with the regrading proposed on existing lines for the construction of sewers in Sewer District 19A.

President Cromwell laid before the Board recent correspondence of Commissioner of Public Works Tribus with the Chief Engineer to the Board of Estimate and Apportionment, showing that said Chief Engineer declined to recommend to the Board of Estimate and Apportionment for approval a resolution of the Local Board of the Staten Island District to regrade and otherwise improve the above section of Richmond terrace, in connection with the construction of sewers as already approved, unless the work should include widening as suggested but not yet approved.

The North Shore Taxpayers' Alliance was strongly represented in opposition to widening at this time, while the locality is not in a position to bear the cost of it, and the speakers were J. G. Timolat, H. P. Morrison, J. F. Smith, H. A. Verdon, E. P. Doyle and J. J. Kenney.

President Cromwell suggested that the Taxpayers' Alliance appoint a Committee to confer with him and Commissioner Tribus, and afterward, as they desired to, with Chief Engineer Lewis, which was agreed to.

Petition 849.

To pave and repair sidewalks in certain streets in the Second Ward. Laid over.  
On motion, the Board adjourned.

MAYBURY FLEMING, Secretary.

BOROUGH OF MANHATTAN.

COMMISSIONER OF PUBLIC WORKS.

In accordance with the provisions of section 1546, chapter 466 of the Laws of 1901, I transmit the following report of the transactions of the offices of the Commissioner of Public Works, President of the Borough of Manhattan, for the week ending December 23, 1908:

Public Moneys Received During the Week.	Permits extended, Bureau of Incumbrances .....	110
For restoring and repaving pavement, sewer openings, Special Fund .....	Permits revoked, Bureau of Incumbrances .....	2
For redemption of obstructions seized, General Fund.....	Inspection Division, Bureau of Highways.	
For vault permits, Sinking Fund.	Complaints received .....	1,251
For shed permits, General Fund.	Repairs made .....	997
For sewer connections, General Fund .....	Police complaints received.....	575
For bay window permits, General Fund .....	Repairs to Pavement.	
Road rollers, General Fund.....	Square yards of pavement repaired.	3,503
	Repairs to Sewers.	
Permits Issued.	Linear feet of sewer built.....	186
Permits to place building material on streets .....	Linear feet of sewer cleaned.....	26,075
Permits to construct street vaults..	Linear feet of sewer examined.....	14,470
Permits to construct sheds.....	Basins built .....	1
Permits to cross sidewalks.....	Basins cleaned .....	282
Permits for subways, steam mains and various connections.....	Basins examined .....	129
Permits for railway construction and repairs .....	Linear feet of sewer relieved.....	2,312
Permits to repair sidewalks.....	Manhole heads and covers reset...	2
Permits for sewer connections.....	Basin hoods put in.....	2
Permits for sewer repairs.....	Linear feet of spur pipe laid.....	6
Permits for bay windows.....	Basin covers put on.....	2
Obstructions Removed.	Basins relieved .....	1
Obstructions removed from various streets and avenues.....	Manholes examined .....	2
Complaints received and attended to, Bureau of Incumbrances.....	Manhole covers put on.....	5
	Cubic feet of brickwork built.....	46
	Basin grates put in.....	5
	Cart loads of dirt removed.....	877
	Cuts opened and refilled.....	4

General Office, Commissioner of Public Works.

Orders Nos. 4946 to 5103, inclusive, were issued; 157 requisitions were received and acted upon.

The following contracts were entered into:

For sewer, Avenue A, between Eleventh and Twelfth streets. Contractor, Smith & Fitzgerald, No. 549 West Fortieth street; Surety, National Surety Company, No. 115 Broadway; estimated cost, \$2,040.

For sewer, One Hundred and Eighteenth street, between Third and Lexington avenues. Contractor, Smith & Fitzgerald, No. 549 West Fortieth street; Surety, National Surety Company, No. 115 Broadway; estimated cost, \$5,005.50.

For sewer, One Hundred and Sixty-seventh street, between Amsterdam and Audubon avenues. Contractor, John Slattery, No. 368 Park avenue; Surety, the United States Fidelity and Guaranty Company, No. 66 Liberty street; estimated cost, \$1,222.50.

Nineteen requisitions, including 181 vouchers, amounting to \$242,167.86 were drawn on the Comptroller.

Statement of Laboring Force Employed During the Week Ending December 23, 1908.

Repaving and Renewal of Pavements.	Carts .....	5
Mechanics .....	228	
Laborers .....	173	
Teams .....	4	
Carts .....	118	
Boulevards, Roads and Avenues, Maintenance of.		
Mechanics .....	8	
Laborers .....	61	
Teams .....	29	
Carts .....	17	
Roads, Streets and Avenues.		
Laborers .....	21	
Teams .....	10	
Sewers, Maintenance, Cleaning, etc.		
Mechanics .....	86	
Laborers .....	52	
Teams .....	12	
Carts .....	50	
Cleaners .....	86	
Cleaning Public Buildings, Baths, etc.		
Mechanics .....	189	
Laborers .....	110	
Carts .....	30	
Bath Attendants .....	232	
Cleaners .....	248	

Changes for Week Ending December 26, 1908.

Highways—One Laborer, \$2, dropped; one Assistant Foreman, \$2.50, dropped.

Public Buildings and Offices—One Oiler, changed to Stationary Engineer; one Foreman, \$4, deceased; two licensed Firemen, \$3, appointed; one Stationary Engineer, \$4.50, appointed; one Superintendent of Baths, \$2,550, resigned; one Cleaner (male), \$2.50, deceased; one Attendant (male), J. W. Lamb, deceased, November 26.

JOHN CLOUGHEN, Commissioner of Public Works and Acting President.

BOROUGH OF THE BRONX.

BUREAU OF BUILDINGS.

I herewith submit a report of operations of the Bureau of Buildings, Borough of The Bronx, for the week ending December 26, 1908:

Plans filed for new buildings (estimated cost, \$446,600).....	32
Plans filed for alterations (estimated cost, \$9,800).....	4
Unsafe cases filed .....	6
Violation cases filed .....	39
Fire-escape case filed .....	1
Unsafe notices issued .....	15
Violation notices issued .....	50
Fire-escape notice issued .....	1
Violation cases forwarded for prosecution.....	15
Complaints lodged with the Bureau .....	5
Number of pieces of iron and steel inspected.....	725

P. J. REVILLE, Superintendent.

John H. Hanan, Chief Clerk.

## BOARD OF ESTIMATE AND APPORTIONMENT.

(FINANCIAL AND FRANCHISE MATTERS.)

MINUTES OF MEETING OF BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK,  
HELD IN ROOM 16, CITY HALL, ON FRIDAY, DECEMBER 18, 1908.

The Board met in pursuance of an adjournment.

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

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

The minutes of meetings held November 20 and December 4, 1908, were approved as printed.

After disposing of the Public Improvements Calendar, the following financial and franchise matters were considered:

## FRANCHISE MATTERS.

*Bronx Traction Company.*

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

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

No one appeared in opposition to the proposed grant.

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

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

The following was offered:

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

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

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

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

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

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

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

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

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

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

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

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

fixing such annual rate and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Twenty-third—The Company agrees to comply with any and all the rules which may be made by the Commissioner of Water Supply, Gas and Electricity for the

purpose of preventing the destruction of the pipes or structures in the street by electrolysis which may be caused by the electric current used by the Company, whether such rules affect the method of the original construction of said railway or any reconstruction, maintenance or repairs upon such railway at any time during the term of this contract.

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

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

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

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

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

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

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

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

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

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

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

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its President, to appear before him on a certain day not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing, appears, in the judgment of the Comptroller, to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund

the Company shall, upon ten (10) days' notice in writing, pay to the Comptroller of the City a sum sufficient to restore said security fund to the original amount of six thousand dollars (\$6,000), and in default thereof this contract shall be canceled and annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

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

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

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

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

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

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

THE CITY OF NEW YORK,

By.....Mayor.

[CORPORATE SEAL.]

Attest:

.....City Clerk.

BRONX TRACTION COMPANY,

[SEAL.]

By.....President.

Attest:

.....Secretary.

(Here add acknowledgments.)

Which was adopted by the following vote:

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

#### Union Railway Company of New York City.

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

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

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

No one appeared in opposition to the proposed grant.

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

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

The following was offered:

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the Union Railway Company of New York City, containing the form of proposed contract for the grant of such franchise or right, be hereby introduced, and entered in the minutes of this Board, as follows, to wit:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thirtieth—If the Company shall fail to give efficient public service at the rates herein fixed, or fail to maintain its structures in good condition throughout the whole term of this contract, the Board may give notice to the Company, specifying

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

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

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

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

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

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

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

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

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

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

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

THE CITY OF NEW YORK,

[CORPORATE SEAL.] By ....., Mayor.

Attest:  
....., City Clerk.

UNION RAILWAY COMPANY OF  
NEW YORK CITY,

[SEAL.] By ....., President

Attest:  
....., Secretary.

(Here add acknowledgments.)

Which was adopted by the following vote:

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

#### Union Railway Company of New York City.

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

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

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

No one appeared in opposition to the proposed grant.

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

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

The following was offered:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Eleventh—Said railway shall be constructed and operated in the latest approved manner of street railway construction and operation, and it is hereby agreed that the Board may require the Company to improve or add to the railway equipment, including rolling stock and railway appurtenances, from time to time, as such additions and im-

provements are necessary, in the opinion of the Board. Upon failure on the part of the Company to comply with the direction of the Board within a reasonable time, the rights hereby granted shall cease and determine.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Twenty-seventh—The Company shall at all times keep accurate books of account of the gross earnings from all sources, and shall, on or before November 1 of each year, make a verified report to the Comptroller of the City of the business done by

the Company for the year ending September 30 next preceding, in such form as he may prescribe. Such report shall contain a statement of such gross earnings, total miles in operation and the miles of railway constructed and operated under this contract, and such other information as the Comptroller may require. The Comptroller shall have access to all books of the Company for the purpose of ascertaining the correctness of its report, and may examine its officers under oath.

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

Provided, however, that such action by the Board shall not be taken until the Board shall give notice to the Company to appear before it on a certain day not less than ten (10) days after the date of such notice, to show cause why such resolution declaring the contracts forfeited should not be adopted. In case the Company fails to appear, action may be taken by the Board forthwith.

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

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

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

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

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

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

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

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

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

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

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

THE CITY OF NEW YORK,

[CORPORATE SEAL.] By..... Mayor.

Attest: ..... City Clerk.

UNION RAILWAY COMPANY OF  
NEW YORK CITY,

[SEAL.] By..... President.

Attest: ..... Secretary.

(Here add acknowledgments.)

Which was adopted by the following vote:

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

Long Island Railroad Company.

The Secretary presented the following:

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

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

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

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

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

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

Very respectfully,

THE LONG ISLAND RAILROAD COMPANY,

By FRANK E. HAFF, Secretary.

Dated New York, November 16, 1908.

To the Long Island Railroad Company:

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

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

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

Yours truly,

STATE COMMISSION OF LUNACY,

By O. M. DEWING, Superintendent.

Dated October 3, 1908.

REPORT No. F-138.

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

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

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

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

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

Respectfully,

NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

The application states that it was made on request of the State Commission in Lunacy by O. M. Dewing, Superintendent, dated October 3, 1908, a copy of which request is attached to the application, and from which it appears that this side track is desired for the more convenient and expeditious handling of building material and other freight between the railroad and the said lands at Creedmoor, Long Island, which have been turned over to the Commission for the use of the Long Island State Hospital for the Insane, and on which it is proposed to construct the necessary buildings for the accommodation of such insane patients as are now cared for by the said Long Island State Hospital at Flatbush, Long Island. It is stated in such request that such switch or connection is to be of a temporary nature, and is to be removed

as soon as land can be acquired by purchase or otherwise for the construction of a permanent connection between the railroad and the said institution, and the application of the company states that the same will be removed by January 1, 1910. The application also states that the Long Island Railroad Company has obtained the consents of a majority of the owners of property on Range avenue, so-called, for the construction, maintenance and operation of the said temporary side track or switch applied for, and has also obtained from the Commissioner of Public Works of the Borough of Queens a permit, duly approved by the President of the Borough of Queens, for the opening of Range avenue, from the railroad tracks at Bullet street into the government property at Creedmoor, for the purpose of putting in this temporary connection.

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

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

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

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

In accordance with such information, I have prepared a form of resolution granting the permission applied for by the Long Island Railroad Company. In this form of resolution I have inserted the usual provisions generally contained in resolutions granting revocable consents, and have made the term of the same a period of one year from the date of its approval by the Mayor, which will probably carry such consent to within a short period of January 1, 1910. It being the policy of the Board to require a charge for all privileges to use the streets, and the minimum charge for such privileges being fixed at the sum of one hundred dollars (\$100) per year, this resolution provides that the company shall pay to the City the sum of one hundred dollars (\$100), as the said privilege will be for a period of one year. I have also provided for a security deposit of two hundred and fifty dollars (\$250), in order that if the company fails to remove its track, restore the street surface or do any other acts required by the consent, the City may be in a position to do the same, and to collect the costs thereof, without any unnecessary delay caused by legal proceedings.

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

Respectfully,

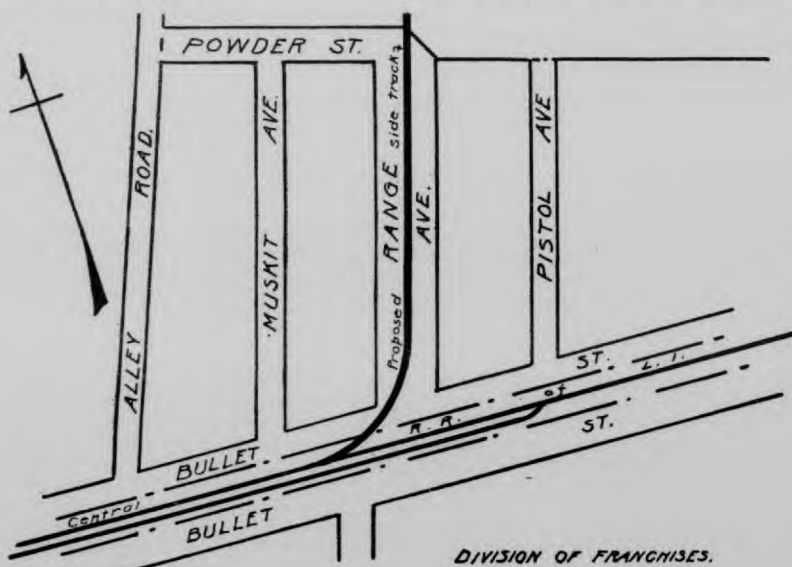
HARRY P. NICHOLS, Engineer in Charge.

*Plan of  
PROPOSED SIDE TRACK  
At Range Ave.,  
Borough of Queens, N.Y.*

*LONG ISLAND RAILROAD COMPANY, Applicant.*

*Scale, 1"=400'*

*Dated Dec. 15, 1908.*



The following was offered:

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

Resolved, That the consent of the Corporation of The City of New York be and the same is hereby given to the Long Island Railroad Company to construct, maintain and operate a temporary side-track or switch, commencing at and connecting with a track on the right-of-way of the company on Bullet street, between Range avenue and Muskit avenue, near said Muskit avenue, in the section of the Third Ward of the Borough of Queens commonly known as Creedmoor; thence on a curve

from said point through, along and upon said Bullet street to Range avenue; thence through, along and upon Range avenue, across and upon Powder street, to the State Hospital grounds placed under the jurisdiction of the Board of Managers of the Long Island State Hospital and the State Commission in Lunacy by chapter 473 of the Laws of 1908; the said temporary side-track or switch to be used for the purpose of transporting building material and other freight necessary for the construction of the hospital buildings on the State lands at Creedmoor between the said railroad and the said State Hospital lands, and for no other purpose, all as shown on the plan accompanying the application, entitled:

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

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

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

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

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

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

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

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

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

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

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

10. The said company shall at all times keep the street pavement between the rails of its tracks and for a distance of two feet beyond the rails on either side thereof free and clear from ice and snow, and shall remove the same without brushing it outside the rails.

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

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

13. This consent is upon the express condition that the Company, within thirty (30) days after its approval by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of The City of New York the sum of two hundred and fifty dollars (\$250), either in money or securities, to be approved by him, which fund shall be security for the performance of the terms and conditions of this consent, and all penalties collectible from this fund shall be in addition to those now provided by law or ordinance; in case of default in the performance by said Company of any of the terms and conditions, The City of New York shall have

the right after due notice where it deems advisable, to cause the work to be done and the materials to be furnished for the performance thereof, and shall collect the reasonable cost thereof from the said fund without legal proceedings, or after default in the payment of the annual charges shall collect the same with interest from such fund, after ten (10) days' notice in writing to the said Company. In case of any draft so made upon any security fund, the said Company shall upon thirty (30) days' notice in writing, pay to the Comptroller of The City of New York a sum of money sufficient to restore the said fund to the original amount of two hundred and fifty dollars (\$250), and in default thereof the consent hereby given may be cancelled and annulled by the Board of Estimate and Apportionment, acting on behalf of the City. No action or proceedings or rights under the provisions of this section shall affect any other legal rights, remedies or causes of action belonging to The City of New York.

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

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

16. The grant of this privilege is subject to whatever right, title or interest the owners of abutting property or others may have in and to the streets or avenues in which the Company is authorized to lay a temporary side-track or switch by this consent.

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

Which was adopted by the following vote:

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

#### *Nassau Electric Railroad Company.*

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

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

The Secretary presented the following:

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

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

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

Yours very respectfully,

JOHN S. GRIFFITH, Secretary.

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

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

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

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

Yours truly,

E. W. WINTER, President.

Which was referred to the Chief Engineer.

#### *New York and North Shore Traction Company.*

A communication, dated December 8, 1908, was received from the Mayor's office, stating that his Honor the Mayor has designated the "Flushing Evening Journal" and the "Long Island City Daily Star" as the two daily newspapers in which the form

of contract for the grant of a franchise to the New York and North Shore Traction Company shall be published previous to the final hearing on January 8, 1909.

Which was ordered filed.

#### *Union Railway Company of New York City.*

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

Which was referred to the Chief Engineer.

#### *Long Island Railroad Company.*

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

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

The communication was ordered filed.

#### *Proposed Amendment to Charter and Rapid Transit Law.*

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

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

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

The Secretary presented the following:

REPORT No. 77.

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

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

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

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

Respectfully,

NELSON P. LEWIS, Chief Engineer.

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

They have all favored me informally with their opinions, and certain errors, typographical and otherwise, have been found, as well as one conclusion of law which was unwarranted. Mr. Ivins has stated to me verbally that the provisions of section 73 authorizing the Board of Estimate and Apportionment to grant franchises to tunnel railroads for a period not exceeding fifty years, with renewals not exceeding in the aggregate twenty-five years, under the condition that at least three per centum of the net profits shall be paid to the City after the Company has earned five per centum upon the sum expended to construct the tunnel, is not now operative, because, as he claims, all tunnel railroads are provided for by the Rapid Transit Act, and it is specifically provided in section 73 of the Charter that its provisions shall not apply to franchises of any character described in the Rapid Transit Law. It may be that the authority for granting franchises to tunnel railroads under section 73 of the Charter by the Board of Estimate and Apportionment is inoperative, as is stated as a conclusion of law by Mr. Ivins, but I cannot believe that the description of tunnel railroads given in the Rapid Transit Law can apply to every conceivable tunnel railroad that may be proposed in The City of New York, but it seems only to apply to "railroads from an adjoining State under the North or Hudson or Harlem rivers to a terminus within the City, or under the North or Hudson River, and thence transversely across and under the surface of the Borough of Manhattan, and thence under the East River by the shortest practical route; such railroad or railroads to be

connected with some trunk line railroad or railroads whose terminus or termini are in this or an adjoining State, thereby forming a continuous line for the carriage of passengers and property between a point or points without such adjoining State and a point or points within the City, also to railroads connecting existing railroads, extensions to existing railroads, and for additional tracks."

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

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

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

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

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

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

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

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

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

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

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

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

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

Second—Add after same heading the following:

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

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

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

#### PROPOSED RESOLUTIONS.

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

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

Second—"Should the term of other grants be for a longer period than now provided by the Charter and Rapid Transit Law, and, if so, for what period?"—which communication was referred to the Chief Engineer; and

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

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

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

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

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

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

Commission to fix terms and conditions as the circumstances may at the time require, taking into consideration the purpose for which the railroad is to be used.

#### As to Section 73 of the Charter.

First—

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

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

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

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

Third—

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

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

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

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

#### As to Section 242 of the Charter.

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

#### As to Section 32 of the Rapid Transit Law.

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

#### As to Section 32A of the Rapid Transit Law.

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

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

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

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

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

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

#### As to Section 34F of the Rapid Transit Law.

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

#### As to Section 38A of the Rapid Transit Law.

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

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

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

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

#### New York and North Shore Traction Company.

The Secretary presented the following:

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

Mr. NELSON P. LEWIS, Chief Engineer:

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

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

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

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

While no formal action has been taken by the Board on this communication, it appears as though the New York and Queens County Railway Company did not contemplate pursuing further its application for a franchise, and, as you know the urgent

demand and necessity that exist for the construction of such a railway, from the various communications received by the Board relative thereto, I would recommend that the Board fix January 22, 1909, as the date for a preliminary public hearing on the petition of the New York and North Shore Traction Company, and that his Honor the Mayor be requested to designate the newspapers in which notice of such hearing shall be published, pursuant to law. A resolution to this effect is transmitted herewith.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

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

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

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

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

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

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

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

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

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

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

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

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

Dated December 16, 1908.

THE NEW YORK AND NORTH SHORE TRACTION COMPANY,

[SEAL.]

By JAMES A. MACELHINNY, Secretary.

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

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

JAMES A. MACELHINNY.

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

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

The following was offered:

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

Resolved, That, in pursuance of law, this Board sets Friday, the 22d day of January, 1909, at 10.30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

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

Which was adopted by the following vote:

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

The petition was then referred to the Chief Engineer.

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

In the matter of the application of the Long Island Railroad Company, for itself and as lessee of the New York, Brooklyn and Manhattan Beach Railway Company, requesting certain amendments to the agreement with respect to a relocation and

change of grade in the tracks of the Manhattan Beach Division of the first named company, which was authorized by resolution adopted by this Board June 7, 1907, and which petition was, at the meeting of January 24, 1908, referred to the Chief Engineer.

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

The Secretary presented the following:

December 15, 1908.

*The Honorable the Board of Estimate and Apportionment:*

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

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

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

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

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

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

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

Respectfully,

H. A. METZ, Comptroller, City of New York.

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

BIRD S. COLER, President, Borough of Brooklyn.

REPORT No. F-25.

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

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

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

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

The amendments referred to are as follows:

Article 3, subdivision C, is amended to read:

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

the work. Additional curb or fences to be constructed or maintained on those portions of the street which may be opened or improved in the future."

Article 4 is amended by the addition of the following:  
"The deed to the said premises so to be conveyed by the said Manhattan Beach and the said Long Island Company shall be delivered by them to the Comptroller of The City of New York in escrow, but shall not, however, take effect until the relocation and reconstruction of the tracks of the Manhattan Beach, leased to the Long Island from Avenue M to a point south of Emmons or Neptune avenue, in accordance with the said amended plan and profile hereinbefore mentioned, shall have been completed so that the said railroads can operate their cars over the same, and until such completion the said railroads shall be authorized to continue to occupy the lands occupied by the present right of way which are to be conveyed by them to the City, as hereinabove provided."

Article 5 to be amended to read as follows:  
"That the said Manhattan Beach and the said Long Island will give their consent upon demand to the opening by the City of any street, at any time in the future, across the right of way of the Manhattan Beach, between First avenue, at or near Sixty-fifth street, and the boundary line between the Boroughs of Queens and Brooklyn, or its Manhattan Beach Branch Division, between Avenue M and a point south of Neptune avenue, and will convey to the City easement to construct and maintain such streets across the present or proposed right of way, without cost to the City, subject to the right of such railroads to operate over such right of way."

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

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

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

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

Respectfully,

NELSON P. LEWIS, Chief Engineer.

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

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

Which amendment was lost by the following vote:

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

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

The original motion was then adopted by the following vote:

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

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

Which reports were adopted by the following vote:

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

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

FINANCIAL MATTERS.

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

A-B. \$4,675, as requested by the Department of Water Supply, Gas and Electricity, within appropriations for the year 1908.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
NEW YORK, November 23, 1908.

JOSEPH HAAG, Esq., Secretary, Board of Estimate and Apportionment, New York City:

DEAR SIR—I would respectfully request that the Board of Estimate and Apportionment make the following transfers of appropriations made to this Department for the year 1908:

From Heat, Light and Power—	
Boroughs of Manhattan and The Bronx, Bureau of Lamps and Lighting, Administration, Office of Chief Engineer, Salaries and Wages .....	\$1,000 00
Boroughs of Manhattan and The Bronx, Bureau of Lamps and Lighting, Salaries and Wages .....	500 00
Borough of Richmond, Bureau of Lamps and Lighting, Salaries and Wages .....	660 00
To Heat, Light and Power, Borough of Brooklyn, Bureau of Lamps and Lighting, Salaries and Wages .....	2,160 00
From Bureau of Electrical Inspection, Borough of Brooklyn, Salaries and Wages .....	515 00
To Bureau of Electrical Inspection, Borough of Queens, Salaries and Wages .....	515 00

Respectfully,

JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 10, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Regarding the matter of the request of the Commissioner of Water Supply, Gas and Electricity for transfers between appropriations made to that Department for the year 1908, as follows:

From Heat, Light and Power—

Boroughs of Manhattan and The Bronx, Bureau of Lamps and Lighting, Administration, Office of Chief Engineer, Salaries and Wages .....	\$1,000 00
Boroughs of Manhattan and The Bronx, Bureau of Lamps and Lighting, Salaries and Wages .....	500 00
Borough of Richmond, Bureau of Lamps and Lighting, Salaries and Wages .....	660 00
To Heat, Light and Power, Borough of Brooklyn, Bureau of Lamps and Lighting, Salaries and Wages .....	2,160 00
From Bureau of Electrical Inspection, Borough of Brooklyn, Salaries and Wages .....	515 00
To Bureau of Electrical Inspection, Borough of Queens, Salaries and Wages .....	515 00

—I beg to state that the deficiency of \$2,160 in the Salaries and Wages account of the Brooklyn Bureau of Lamps and Lighting appears to be due not to any extra expenditures, but to an insufficient Budget allowance, which was reduced in response to the demand for economy to \$4,000 below the allowance for 1907.

The Bureau of Electrical Inspection, in which the deficiency of \$515 occurs, has recently been placed in charge of the Chief Engineer of Light and Power, who states that the requested transfer will be required to pay the salaries of the present force until the end of the year.

In view of these facts, the desired transfers being between salary appropriations, it is respectfully recommended that they be allowed.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
NEW YORK, November 11, 1908.

JOSEPH HAAG, Esq., Secretary, the Board of Estimate and Apportionment, New York City:

DEAR SIR—I respectfully request that the Board of Estimate and Apportionment make the following transfers of appropriations made to this Department for the year 1908:

From Heat, Light and Power, Boroughs of Manhattan and The Bronx, Bureau of Lamps and Lighting, Bureau Expenses, 1908 .....	\$2,000 00
To Bureau of Electrical Inspection, Boroughs of Manhattan and The Bronx, Supplies and Contingencies, 1908 .....	2,000 00

Respectfully,

JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 9, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Regarding the request of the Commissioner of Water Supply, Gas and Electricity for transfer between appropriations made to that Department for the year 1908, as follows:

From Heat, Light and Power, Boroughs of Manhattan and The Bronx, Bureau of Lamps and Lighting, Bureau Expenses .....	\$2,000 00
To Bureau of Electrical Inspection, Boroughs of Manhattan and The Bronx, Supplies and Contingencies .....	2,000 00

I beg to report that the proposed addition to the latter account is made necessary by expenditures having been made in excess of the Budget allowance by the Bureau administration recently superseded by the Chief Engineer of Light and Power.

Said excess expenditures consisted chiefly of carriage and automobile hire, for which some \$3,900 was expended up to October 1, against a Budget allowance for the entire year of some \$2,700. The new management has discontinued the expense of automobile hire, which was \$200 per month, but finds the account already virtually exhausted and will need the amount of the proposed transfer to provide for certain very desirable changes and repairs in the offices of the Bureau and to carry on the work of the Bureau for the remainder of the year, as well as to pay bills which have accumulated since the change of administration. It is therefore recommended that the request of the Commissioner for the aforesaid transfer be granted.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of four thousand six hundred and seventy-five dollars (\$4,675) be and the same is hereby transferred from the appropriation made to the Department of Water Supply, Gas and Electricity for the year 1908, entitled and as follows:

Heat, Light and Power, Boroughs of Manhattan and The Bronx—	
Bureau of Lamps and Lighting, Administration, Office of Chief Engineer, Salaries and Wages .....	\$1,000 00
Bureau of Lamps and Lighting, Bureau Expenses .....	2,000 00
Bureau of Lamps and Lighting, Salaries and Wages .....	500 00
Heat, Light and Power, Borough of Richmond—Bureau of Lamps and Lighting, Salaries and Wages .....	660 00
Bureau of Electrical Inspection, Borough of Brooklyn, Salaries and Wages .....	515 00
	<u>\$4,675 00</u>

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

Heat, Light and Power, Borough of Brooklyn, Bureau of Lamps and Lighting, Salaries and Wages .....	\$2,160 00
Bureau of Electrical Inspection—	
Borough of Queens, Salaries and Wages .....	515 00
Boroughs of Manhattan and The Bronx, Supplies and Contingencies .....	2,000 00
	<u>\$4,675 00</u>

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

C. \$6,149.38, as requested by the Department of Water Supply, Gas and Electricity, within the appropriation made for the year 1907; and

D. \$2,750, within appropriations for the year 1906.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
NEW YORK, November 23, 1908.

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

DEAR SIR—I respectfully request that the Board of Estimate and Apportionment make the following transfers of appropriations made to this Department for the years 1906 and 1907, as follows:

1907.

From—  
Salaries, General Administration..... \$1,517 65  
BOROUGH OF MANHATTAN AND THE BRONX.  
Salaries, Central Office..... 101 68  
Salaries, Bureau of Water Register..... 2,274 29  
Salaries, Bureau of Chief Engineer..... 123 36  
Salaries, Electrical Bureau..... 226 71  
Salaries, Lamps and Lighting..... 950 04  
Salaries, High Pressure Fire Service (Manhattan)..... 955 65  
\$6,149 38

To Maintenance of Croton Water System, Repairs and Supplies..... \$6,149 38

1906.

From Boroughs of Manhattan and The Bronx, Bronx River Works, Maintenance and Repairs..... \$2,750 00  
To Maintenance of Croton Water System..... 2,750 00

Respectfully,

M. F. LOUGHMAN, Deputy and Acting Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 1, 1908.

HON. HERMAN A. METZ, Comptroller.

SIR—Regarding the application to the Board of Estimate and Apportionment by the Deputy and Acting Commissioner of Water Supply, Gas and Electricity, dated November 23, 1908, for transfers between the appropriations made to that department for the years 1906 and 1907 as follows:

1907.

From—  
Salaries, General Administration..... \$1,517 65  
BOROUGH OF MANHATTAN AND THE BRONX.  
Salaries, Central Office..... 101 68  
Salaries, Bureau of Water Register..... 2,274 29  
Salaries, Bureau of Chief Engineer..... 123 36  
Salaries, Electrical Bureau..... 226 71  
Salaries, Lamps and Lighting..... 950 04  
Salaries, High Pressure Fire Service (Manhattan)..... 955 65  
\$6,149 38

To Maintenance of Croton Water System, Repairs and Supplies..... \$6,149 38

1906.

From Boroughs of Manhattan and The Bronx, Bronx River Works, Maintenance and Repairs..... \$2,750 00  
To Maintenance of Croton Water System..... 2,750 00

I beg to state that these changes are required to provide for the payment of certain outstanding bills of said years, settlement of which has for various reasons been delayed until this time.

It is respectfully recommended that the application of the Deputy Commissioner for the said transfers be granted.

Respectfully yours,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of six thousand one hundred and forty-nine dollars and thirty-eight cents (\$6,149.38), be and the same is hereby transferred from the appropriation made to the Department of Water Supply, Gas and Electricity for the year 1907, entitled and as follows:

Salaries, General Administration..... \$1,517 65  
Salaries, Boroughs of Manhattan and The Bronx—  
Central office..... 101 68  
Bureau of Water Register..... 2,274 29  
Bureau of Chief Engineer..... 123 36  
Electrical Bureau..... 226 71  
Lamps and lighting..... 950 04  
High Pressure Fire Service (Manhattan)..... 955 65  
\$6,149 38

—the same being in excess of the amounts required for the purposes thereof, to the appropriation made to said Department for the year 1907, entitled Maintenance of Croton Water System, Repairs (exclusive of those done by departmental labor) and Supplies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

The following resolution was offered:

Resolved, That the sum of two thousand seven hundred and fifty dollars (\$2,750), be and the same is hereby transferred from the appropriation made to the Department of Water Supply, Gas and Electricity for the year 1906, entitled, Boroughs of Manhattan and The Bronx, Bronx River Works, Maintenance and Repairs, \$2,750, the same being in excess of the amount required for the purposes thereof, to the appropria-

tion made to the said Department for the year 1906, entitled Maintenance of Croton Water System, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

E. \$1,200, as requested by the Comptroller, within the appropriation made for Charitable Institutions for the year 1908.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 14, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—You are respectfully asked to request the Board of Estimate and Apportionment to authorize transfer from the account of the Temporary Home for Children of Queens County, N. Y., \$1,200, to the account of the Wayside Home, \$600, and the International Sunshine Society, \$600.

Respectfully submitted,

D. C. POTTER, Chief Examiner of Accounts of Institutions.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of twelve hundred dollars (\$1,200), be and the same is hereby transferred from the appropriation made for Charitable Institutions of The City of New York for the year 1908, entitled Temporary Home for Children of Queens County, N. Y., the same being in excess of the amount required for the purposes thereof, to the appropriation made for said charitable institutions for the year 1908, entitled and as follows:

Wayside Home..... \$600 00  
International Sunshine Society..... 600 00  
\$1,200 00

—the amount of said appropriations being insufficient.

Which was adopted by the following vote:

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

F. \$2,000, as requested by the Commissioner of Records, New York County, from the appropriation made for the account entitled Salaries for the year 1908 to the appropriation made for the account entitled Supplies and Contingencies for the same year.

COMMISSIONER OF RECORDS,  
HALL OF RECORDS, BOROUGH OF MANHATTAN,  
NEW YORK CITY, December 7, 1908.

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

DEAR SIR—I transmit herewith, for your information, a copy of a letter sent this day to the Mayor as Chairman of the Board of Estimate and Apportionment.

Very truly yours,

WILLIAM S. ANDREWS, Commissioner.

COMMISSIONER OF RECORDS,  
HALL OF RECORDS, BOROUGH OF MANHATTAN,  
NEW YORK CITY, December 7, 1908.

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

DEAR SIR—I have to request a transfer of \$2,559 to the account of Supplies and Contingencies for 1908, from the unexpended balance of the appropriation for the year 1908 to the credit of the Department of Commissioner of Records, County of New York, on account of Salaries.

My estimate for 1909 for general supplies, materials for repairs and replacements, apparatus and machinery, and contingencies, amounted to \$12,008.19. The amount appropriated for those purposes was \$6,000, which is insufficient for the purposes estimated for.

For the reasons stated in the communication accompanying my estimate for 1909 I have effected a saving in the account of Salaries which on December 31 will amount to \$17,963.31.

The sum of \$2,559, which I now ask to have transferred from that balance, will enable me to purchase supplies and contingencies which can be properly charged to the current year, as the money will be used for the purchase of supplies and materials to be in use permanently, most of them for many years to come.

If this transfer is made there will still remain an unexpended balance of the appropriation for Salaries, amounting to \$15,404.31.

Very respectfully,

WILLIAM S. ANDREWS, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 14, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Regarding the request made by the Commissioner of Records, New York County, for the transfer of \$2,559 from the Budget appropriation for 1908 for Salaries in his office to the Budget appropriation for the same year for Supplies and Contingencies, which was referred to you by the Board of Estimate and Apportionment for consideration, and by you to the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

The Budget appropriation for 1908 for Salaries in the office of the Commissioner of Records, New York County, was \$43,150. The total amount to be expended for the year is estimated at \$25,186.69, leaving a balance of \$17,963.31.

The Budget appropriation for Supplies and Contingencies was \$6,000; the disbursements charged against the account up to December 1 amount to \$5,563.74, leaving \$436.26 available for the balance of the year. Commissioner Andrews states that the amount which he has been allowed for supplies has not been sufficient to adequately provide for the rebinding and recopying of the County records, the facilities for doing said work having been greatly increased since permanent quarters were assigned to his office in the Hall of Records, and the funds which he requests shall be transferred are to be used in providing typewriting machines and desks, also bookkeepers' and other supplies required for the successful operation of the office.

As a result of an interview with Commissioner Andrews, and the fact that the short time elapsing until the Budget appropriation for 1909 will become available renders the expenditure of the total amount requested somewhat improbable, I would respectfully suggest that the request for a transfer of \$2,559 be approved to the extent of \$2,000.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of two thousand dollars (\$2,000) be and the same is hereby transferred from the appropriation made to the Commissioner of Records, New York County, for the year 1908, entitled Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said Commissioner of Records, New York County, for the year 1908, entitled Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

G. \$10,000, as requested by the President, Borough of Manhattan, from the appropriation made to the City Court for the account entitled Salaries for the year 1908 to the appropriation made to the said President for the same year for the account entitled Bureau of Public Buildings and Offices, Maintenance of Buildings and Offices, Equipment, Renewals and Supplies.

CITY OF NEW YORK,  
OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN,  
CITY HALL, December 15, 1908.

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

DEAR SIR—Request is hereby made for the following transfer of funds from appropriation City Court of New York, Salaries, 1908, \$10,000, to the appropriation President of the Borough of Manhattan, Bureau of Public Buildings and Offices, Maintenance of Buildings and Offices, Equipment, Repairs, Renewals and Supplies.

This transfer is requested to furnish and equip the new Judges' Chambers of the City Court (brownstone building).

Very truly yours,

JOHN F. AHEARN, President, Borough of Manhattan.

CITY COURT OF THE CITY OF NEW YORK,  
CLERK'S OFFICE,  
NEW YORK, December 16, 1908.

Hon. HERMAN A. METZ, Comptroller, No. 280 Broadway, City:

DEAR SIR—Referring to communication sent to you by Hon. John F. Ahearn, President of the Borough of Manhattan, requesting the transfer of \$10,000 from the fund entitled Salaries, General Administration, 1908, of the City Court, to the fund entitled President of the Borough of Manhattan, Bureau of Public Buildings and Offices, Equipment, Repairs, etc., I am authorized by the Justices of the City Court to consent to the said transfer.

Respectfully,

THOMAS F. SMITH, Clerk of the City Court.

The following resolution was offered:

Resolved, That the sum of ten thousand dollars (\$10,000) be and the same is hereby transferred from the appropriation made to the City Court of New York for the year 1908, entitled Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the President of the Borough of Manhattan for the year 1908, entitled Bureau of Public Buildings and Offices, Maintenance of Buildings and Offices, Equipment, Repairs, Renewals and Supplies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

H. \$500, as requested by the Court of General Sessions, from the appropriation made for Salaries for the year 1908 to the appropriation made for Supplies and Contingencies for the same year.

COURT OF GENERAL SESSIONS OF THE PEACE,  
COUNTY OF NEW YORK, CLERK'S OFFICE,  
December 4, 1908.

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

GENTLEMEN—In many instances, during the past year, the judges of this court have been compelled to secure the services of special interpreters during the trial of cases in this court; these emergency instances arising by reason of the fact that the official interpreters did not understand the language to be translated or were officially engaged in other parts of the court and consequently not available, and that there were vacancies in the position of such official interpreters. In all eight interpreters were so employed at different times, and vouchers for their compensation, amounting in the aggregate to about two hundred and seventy-five dollars, duly ordered by the Judge before whom such services were rendered, were filed with the Comptroller of this City for payment. The question thereupon arose, out of which fund these payments were to be made. In a communication relating to this matter, dated October 19, 1908, I informed the Comptroller "that I know of no fund out of which these payments can be made, other than the County Contingent Fund. It has been the custom, invariably followed by the several Comptrollers for many years back, to make these payments out of this fund." To this, under date of November 25, 1908, the Comptroller replied: "That the County Contingent Fund is not available for the payment of an expense of this character."

In view of this, the only fund out of which these payments could be made, is the Contingent Fund of this Court, but, as the amount annually appropriated for this fund is barely sufficient for the needs of this Court, the charging of this unanticipated amount against this fund would result in a deficit at the end of the year.

Inasmuch as there will be an unexpended balance of about fifteen hundred dollars of the appropriation for the salaries of the official interpreters of this Court for this year, caused by the vacancies in such service, I respectfully ask that your Honorable Board order a transfer of the sum of five hundred dollars from the said interpreters' salary account to the Contingent Fund of this Court, to meet the expense of said special interpreters, and to make provision for the payment of such special interpreters as may be employed during the remainder of this year.

Very respectfully,

EDWARD R. CARROLL, Clerk of Court.

The following resolution was offered:

Resolved, That the sum of five hundred dollars (\$500) be and the same is hereby transferred from the appropriation made to the Court of General Sessions for the year 1908, entitled Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Court for the year 1908, entitled Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

I. \$1,680.41, as requested by the Department of Parks, Borough of The Bronx, within the appropriation for the year 1908.

DEPARTMENT OF PARKS, BOROUGH OF THE BRONX,  
ZBROWSKI MANSION, CLAREMONT PARK,  
NEW YORK, December 8, 1908.

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

SIR—The following transfers are hereby respectfully requested:

Three hundred and thirty dollars and thirty-seven cents (\$330.37) from account Administration, Salaries and Wages, Commissioner's Office, 1908, the same being in excess of the amount required for the purposes thereof, to account Administration, Contingencies, 1908, the amount of said appropriation being insufficient.

Twenty-nine dollars and sixty-three cents (\$29.63) from account Administration, Salaries and Wages, Engineer's Office, 1908, the same being in excess of the amount required for the purposes thereof, to account Administration—Contingencies, 1908, the amount of said appropriation being insufficient.

Four hundred and thirty dollars and eighty-one cents (\$431.81) from account Administration, Salaries and Wages, Engineer's Office, 1908, the same being in excess of the amount required for the purposes thereof, to account Maintenance of Parks, Boulevards, Drives, Stonework and Street Trees, Care of Trees in City Streets; Supplies, 1908, the amount of said appropriation being insufficient.

One hundred and fifty dollars (\$150) from account Administration, Salaries and Wages, Engineer's Office, 1908, the same being in excess of the amount required for the purposes thereof to account Maintenance of Parks, Boulevards, Drives, Stonework, and Street Trees, Parks and Boulevards, Consumable Supplies, 1908, the amount of said appropriation being insufficient.

Seven hundred and thirty-nine dollars and sixty cents (\$739.60) from account Administration, Salaries and Wages, Engineer's Office, 1908, the same being in excess of the amount required for the purposes thereof, to account Maintenance of Parks, Boulevards, Drives, Stonework and Street Trees—Parks and Boulevards; Equipment, Repairs and Renewal Supplies 1908, the amount of said appropriation being insufficient.

Respectfully,

(Signed) JOSEPH I. BERRY, Commissioner.

The following resolution was offered:

Resolved, That the sum of one thousand six hundred and eighty dollars and forty-one cents (\$1,680.41) be and the same is hereby transferred from the appropriation made to the Department of Parks, Borough of The Bronx, for the year 1908, entitled and as follows:

Administration—Salaries and Wages, Commissioner's Office.....	\$330 37
Administration—Salaries and Wages, Engineer's Office.....	1350 04
	<hr/> \$1,680 41

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

Administration, Contingencies .....	\$360 00
Maintenance of Parks, Boulevards, Drives, Stonework and Street Trees—	
Care of Trees in City Streets; Supplies.....	430 81
Parks and Boulevards—Consumable Supplies.....	150 00
Parks and Boulevards—Equipment, Repairs and Renewal Supplies.....	739 60
	<hr/> \$1,680 41

—the amounts of said appropriation being insufficient.

Which was adopted by the following vote:

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

J. \$200, as requested by the County Court, Kings County, from the appropriation made for the year 1908 for Salaries to the appropriation made for Supplies and Contingencies for the same year.

COUNTY COURT, KINGS COUNTY,  
BROOKLYN, November 16, 1908.

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

DEAR SIR—I most respectfully request that two hundred dollars be transferred from our appropriation for Salaries, 1908, to our appropriation for Supplies and Contingencies, 1908.

The deficiency in our Supplies and Contingencies appropriation was caused by the fact that this year we were compelled to pay \$20 per month for a trolley car for the use of the Grand Jury to inspect the County institutions and buildings, where formerly they were furnished free by the Brooklyn Rapid Transit Company.

We will have a balance to our credit in Salaries account, 1908 of five hundred and sixty-six dollars and seventy cents (\$566.70).

Very respectfully,

CHARLES S. DEVOY.

The following resolution was offered:

Resolved, That the sum of two hundred dollars (\$200) be and the same is hereby transferred from the appropriation made to the County Court, Kings County, for the year 1908, entitled Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Court for the year 1908, entitled Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

K. \$300, as requested by the Park Department, Boroughs of Manhattan and Richmond, from the appropriation made for the year 1908 for Zoological Department, Salaries and Wages, to the appropriation made for Supplies and Collections for the same year.

DEPARTMENT OF PARKS, MANHATTAN AND RICHMOND,  
THE ARSENAL, CENTRAL PARK,  
December 9, 1908.

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

GENTLEMEN—I beg to request that your Honorable Board will authorize the transfer of three hundred dollars (\$300), from the appropriation made for this Department entitled Zoological Department, Salaries and Wages, 1908, where it will not be required, to the appropriation entitled Zoological Department, Supplies and Collections, 1908, which is insufficient. This request is made necessary by the need of supplies in that Department.

Respectfully,

HENRY SMITH, Commissioner.

The following resolution was offered:

Resolved, That the sum of three hundred dollars (\$300), be and the same is hereby transferred from the appropriation made to the Department of Parks, Boroughs of Manhattan and Richmond, for the year 1908, entitled Zoological Department, Salaries and Wages, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1908, entitled Zoological Department, Supplies and Collections, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

L. \$150, as requested by the County Court, Queens County, from the appropriation made for the Supreme Court and County Court, Queens County, for the year 1908, for the account entitled Court Fund, to the appropriation made to the said Court for the same year for the account entitled Salaries.

COUNTY COURT, QUEENS COUNTY,  
LONG ISLAND CITY,  
NEW YORK, December 10, 1908.

Secretary, Board of Estimate and Apportionment, New York City:

DEAR SIR—Please transfer from the Supreme and County Court Fund or other fund available, to the Salary Fund of the County and Supreme Courts of Queens County the sum of \$150.

This deficiency arises through the designation on July 1 of a Chief Attendant of the County Court of Queens County, which entails the payment of \$300 per year more per annum than the sum paid to the other Attendants.

The appointee passed a civil service examination for such promotion.

Application for allowance for this increase was made in my Budget estimate for 1908, and I had supposed it had been allowed until making up the payroll and checking up expenditures from that fund for the final month of the year.

Yours very truly,

BURT JAY HUMPHREY.

The following resolution was offered:

Resolved, That the sum of one hundred and fifty dollars (\$150), be and the same is hereby transferred from the appropriation made to the Supreme Court and County Court, Queens County, for the year 1908, entitled Court Fund, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Court for the year 1908, entitled Salaries, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

M. \$1,279, as requested by the Commissioner of Jurors, New York County, from the appropriation made to the Supreme Court, First Department, for 1908, for the account entitled Compensation of Justices from other Districts (\$1,036.58), and from the appropriation made for the same year for the Commissioner of Jurors, New York County, for the account Supplies and Contingencies (\$242.42), to the appropriation made to said Commissioner of Jurors for the same year for the account entitled Salaries.

COMMISSIONER OF JURORS, COUNTY OF NEW YORK,  
STEWART BUILDING, ROOM 127,  
NEW YORK, November 6, 1908.

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

GENTLEMEN—I find that in my letter to you of October 30, 1908, asking for a transfer from the Supplies and Contingencies appropriation to the Salaries appropriation for this office for the year 1908, I made a mistake as to the amount of the unexpended balance of the Supplies and Contingencies appropriation.

The mistake occurred from this fact, to wit: That the expenditures for Supplies and Contingencies authorized by the Appellate Division and which it was mandatory upon the Board of Estimate and Apportionment to raise was \$4,986, and the Board of Estimate and Apportionment raised only \$4,000.

In figuring the balance unexpended I took the Appellate Division figures instead of the Board of Estimate's figures.

Our unexpended balance therefore is only \$842.42 instead of \$1,838.42 as stated in my letter.

The transfer needed is \$1,279, and therefore cannot be made from the Supplies and Contingencies appropriation.

It will need about \$600 for Supplies and Contingencies for this year and therefore only \$242.42 can be spared for transfer from that account to Salaries, and it will be necessary in order to make up the \$1,279 required for Salaries account that there be transferred from some other source \$1,036.58 in addition to the \$242.42 that can be spared from the Supplies and Contingencies account.

Very truly yours,

THOMAS ALLISON, Commissioner of Jurors.

SUPREME COURT,  
APPELLATE DIVISION, FIRST DEPARTMENT,  
NEW YORK, December 11, 1908.

Hon. JOHN H. MCCOY, Deputy Comptroller:

DEAR SIR—I am in receipt of your note respecting a transfer from one of the items of appropriations to the Supreme Court for the relief of the Commissioner of Jurors, and I have asked Mr. Doane, who is acting in the place of Librarian, to call upon you and state to you the situation of the items of our appropriations as we have them here. I will with great pleasure consent to a transfer being made when it can be arranged from what item the funds can be taken with entire safety.

Very truly yours,

EDW. PATTERSON, Presiding Justice.

The following resolution was offered:

Resolved, That the sum of one thousand two hundred and seventy-nine dollars (\$1,279) be and the same is hereby transferred from appropriations made for the year 1908, entitled and as follows:

Supreme Court, First Department, Compensation of Justices from other Districts .....	\$1,036 58
Commissioner of Jurors, New York County, Supplies and Contingencies .....	242 42
	<hr/> \$1,279 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriation made to the Commissioner of Jurors, New York County for the year 1908, entitled Salaries, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

N. \$40,693.15, as requested by the Board of Elections, from the appropriation for the year 1908 For Expenses made necessary by the Primary Election Law to the appropriation For Expenses made necessary by the General Election Law for the same year.

BOARD OF ELECTIONS,  
No. 107 WEST FORTY-FIRST STREET,  
NEW YORK, December 8, 1908.

JOSEPH HAAG, Esq., Secretary of the Board of Estimate and Apportionment of The City of New York:

DEAR SIR—I beg to hand you herewith a copy of a resolution adopted by the Board of Elections of The City of New York at a regular meeting held by said Board on December 7, 1908, requesting the Board of Estimate and Apportionment to transfer \$40,693.15 from the appropriation made to said Board for 1908 for Primary Election Expenses to the fund for General Election Expenses for the same year.

Supplementing this request, and for your information and that of all of the members of the Board of Estimate and Apportionment, I make the following explanation: At the close of registration, on October 12, 1908, this Board faced an unusual and rather dangerous situation.

Election districts which in the year 1907 showed a registration and a vote of considerably less than 500 had so grown during the past year that in a large number of them electors, to the number of six, seven and eight hundred (and in one district, in the Borough of Manhattan, eight hundred and ninety-eight) had registered, and were qualified and entitled to vote at the General Election on November 3, 1908.

Under ordinary conditions, and under the conditions as they existed prior to June 19, 1908, this Board could, without danger, handle all those who were registered, but the Legislature, at its Extraordinary Session, enacted changes in the Election Law, providing for a more complete means of identification of electors (chapter 521 of the Laws of 1908), which, among other things required each elector, before he could receive his ballot on election day and cast his vote, to sign his name in one of the poll books; or, if unable to write, to answer nine questions, which answers were required to be written in a book provided by us for that purpose. It also required a comparison of the signatures of the electors made on election day with those made on one of the days of registration; or, if the elector was unable to write, a comparison of his answers to the nine questions with the answers made to similar questions on days of registration. Naturally this required time, and this Board did not believe that electors could go through the forms of voting on election day with greater rapidity than one a minute. As there were only 660 minutes in the voting day, it is evident that unless this Board took some extraordinary steps to relieve the situation, thousands of voters would be deprived of the right of casting their ballots within the hours fixed by law.

After due consideration this Board conferred with the Corporation Counsel, and it was advised by him that, under the circumstances as above outlined, this Board could subdivide the election districts in which so many citizens had registered and erect new districts, so as to make it possible for all of them to cast their votes before the close of the polls.

As soon as this opinion was received from the Corporation Counsel this Board proceeded to subdivide 118 election districts in the Boroughs of Manhattan, The Bronx, Brooklyn and Queens, and as a result of such division 236 new election districts were erected. In these districts 75,856 electors had registered. It was necessary to equip each one of the new election districts with all of the election paraphernalia, including duplicate copies of what is known as the Public Copy of the Electors, containing the signature of each elector, which duplicate copies were made for use by photographers; and also to prepare new registration books, not only for the 118 new districts, but also for that portion of the old district which continued to bear the old election district number; also to furnish boxes, booths, etc. Our time to do all this was very limited. We were obliged to employ additional help, and our whole force was rushed day and night, Sundays included, in order to complete its work and have everything in readiness for the opening of the polls on election day.

The expenses incidental to providing the duplicate copies of the registers of electors, including the photographic copies of the Public Copy, copies of the Identification Statements taken on registration days, the renting of polling places, the compensation of election officers, the cartage of election material to and from the polling places, the printing of ballots and the furnishing of the statements of canvass, tally sheets and other election supplies for the new districts, the printing and mailing of letters which were sent by this Board to every elector in the 236 new election districts, advising them of the division of the old district and informing them of the location of the polling places at which they were to vote on election day, the advertising of the polling places and boundaries of the new districts and other incidental expenses, amounted to the sum of \$55,417.96.

This division of districts made ample provision for the voting of registered electors.

There was no hitch in the work performed by this Board, our efforts to provide suitable accommodations for all electors were successful, and we feel that under the circumstances this expense was justified. In any event, it was necessary.

We should be glad to supplement this letter by personal explanation if necessary. For the reasons above outlined we have exhausted our appropriation for General Election Expenses, and request a transfer of the whole unexpended balance of the appropriation made for primary election purposes for 1908, in order to pay the bills incurred in the work hereinbefore outlined.

Trusting that we have made clear the necessity for this transfer, and that it will be granted, I am,

Respectfully yours,

JOHN T. DOOLING, President.

Resolved, That the Board of Elections of The City of New York hereby requests the transfer by the Board of Estimate and Apportionment of the sum of \$40,693.15 from the appropriation made to the Board of Elections for the year 1908 entitled Expenses made necessary by the Primary Election Law, to the appropriation entitled Expenses made necessary by the General Election Law.

A true copy:

JOHN T. DOOLING, President.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—A request from the President of the Board of Elections, dated December 8, 1908, to the Board of Estimate and Apportionment, for the transfer of \$40,693.15 from the appropriation made to the said Board for 1908, entitled Primary Election Expenses, to the appropriation entitled General Election Expenses, has been referred to the Comptroller for consideration and report. As a result of examination into said matter made in the Bureau of Municipal Investigation and Statistics I beg to report as follows:

The appropriations made for the year 1908 for the purposes included in the two accounts under consideration were as follows:

Primary Election Expenses .....	\$135,810 00
General Election Expenses .....	850,040 00

It appears that on or about December 1 the unexpended balances in the two accounts referred to were as follows:

Primary Election Expenses .....	*\$40,714 15
General Election Expenses .....	232 81

As set forth in the communication of the President of the Board of Elections, dated December 8, 1908, and herein previously referred to, the expenses of the general election in 1908 were considerably more than had been anticipated, owing to the necessity which arose for the subdivision of 118 election districts, because in the dis-

\* A supplementary payroll that occurred on account of the primary, amounting to \$21, is still to be charged against this amount, leaving a surplus of \$40,693.15.

districts affected the total registration ran from 500 to 898. The cost incidental to the creation of the new election districts was made especially expensive because of the requirements of chapter 521 of the Laws of 1908, it being necessary to furnish the election officials in each of the newly created districts with photographic copies of the public copy of the list of electors.

The President of the Board of Elections caused to be prepared, at the request of your Examiner, the memorandum attached hereto showing unpaid bills for expenses incurred to be charged to the General Election Expenses appropriation, aggregating \$27,558.91. The President also furnished a schedule of the outstanding liabilities, which is also attached hereto.

In further amplification of the statements made in the President's letter regarding the work of making photographic copies of the public copy of the registry list in newly created districts, your Examiner has been informed by the President that it was with great difficulty that the Board of Elections secured the services of a photographer to undertake the work within the time at the Board's disposal. The order was given, the President says, to B. F. McManus, art photographer, of No. 1296 Third Avenue, Borough of Manhattan, after several photographers had refused to accept the order, stating that it was a physical impossibility to complete the work in the time allowed. The President further said that it was agreed that the photographer should be paid \$3 per page of ten columns, thirty-eight lines and heading, there being 7,822 pages in all, the total bill amounting to \$23,466.

In view of the statements herein contained I would respectfully suggest that the Comptroller recommend to the Board of Estimate and Apportionment the approval of the request of the President of the Board of Elections for the transfer of \$40,693.15 from the Primary Election Expenses account to the General Election Expenses account, it being understood that the question as to whether or not the price agreed to be paid for the work of photographing, under all circumstances, was reasonable is to be passed upon by the Auditors of the Department of Finance, when in due course the vouchers reach this Department.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of forty thousand six hundred and ninety-three dollars and fifteen cents (\$40,693.15) be and the same is hereby transferred from the appropriation made to the Board of Elections for the year 1908, entitled For Expenses Made Necessary by the Primary Election Law, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said Board for the year 1908, entitled For Expenses Made Necessary by the General Election Law, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

O. \$3,200, as requested by the Board of Education, from the appropriation made for the year 1908 for Special School Fund, Board of Education, Care of School Buildings and Grounds, to the appropriation made for Special School Fund, Borough of Manhattan, Fire Alarms, for the same year.

Resolved, That the Board of Estimate and Apportionment be, and it is hereby, respectfully requested to transfer the sum of three thousand two hundred dollars (\$3,200) from the Special School Fund for the year 1908 and from the item contained therein entitled Care of School Buildings and Grounds, which item is in excess of its requirements, to the item also contained within the Special School Fund for the year 1908 entitled Fire Alarms, Borough of Manhattan, which item is insufficient for its requirements.

A true copy of resolution adopted by the Board of Education, October 28, 1908.

A. EMERSON PALMER, Secretary.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a communication from the Board of Education requesting the transfer of \$3,200 from the Special School Fund for the year 1908 and from the item contained therein entitled Care of School Buildings and Grounds, which item is in excess of its requirements, to the item also contained within the Special School Fund for 1908, entitled Fire Alarms, Borough of Manhattan, said item being insufficient for its requirements, which matter was referred to the Comptroller for consideration and report at a meeting of the Board of Estimate and Apportionment, held October 30, 1908, and by you referred to the Bureau of Municipal Investigation and Statistics, I beg to report as follows:

Following upon the authorization of Corporate Stock to the amount of \$1,000,000 in April of the current year for the purpose of providing proper protection against fire in sundry public school buildings found to be in need thereof, the Board of Education proceeded to make such alterations as were deemed necessary, with the result that, in most instances, the connections between said buildings and the fire alarm telegraph system of the Fire Department were severed. It has consequently become necessary to install new connections, and in the Borough of Manhattan the regular Budget allowance for Fire Alarms for the current year is inadequate to meet this extraordinary expense. It is therefore recommended that the transfer requested be made accordisg to the resolution attached hereto.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the sum of three thousand two hundred dollars (\$3,200) be and the same is hereby transferred from the appropriation made to the Department of Education for the year 1908, entitled Special School Fund, Board of Education, Care of School Buildings and Grounds, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1908, entitled Special School Fund, Borough of Manhattan, Fire Alarms, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

The Secretary presented a communication from the Sheriff of New York County, requesting the establishment of the position of Auditor's Clerk, with salary at the rate of \$1,350 per annum, for one incumbent.

Which was referred to the Select Committee, consisting of the Comptroller and the President of the Board of Aldermen.

The Secretary presented the following communication from the Comptroller, advising the rescission of resolution adopted November 13, 1908, approving of a proposed contract and agreement between the Jamaica Water Supply Company and The City of New York, through the Commissioner of Water Supply, Gas and Electricity, for the rental of hydrants in the Borough of Queens, for a period of five years from July 1, 1908, at an annual rental of \$18 per hydrant, as certain changes and modifications should be made in the present form of contract in order to avoid any misunderstanding in the future, and stating that said changes and modifications are acceptable to the attorney for the water company:

CITY OF NEW YORK,  
DEPARTMENT OF FINANCE,  
December 15, 1908.

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

SIR—By resolution dated November 13, 1908, the Board of Estimate and Apportionment, approved of a proposed contract and agreement between the Jamaica Water Supply Company and the Commissioner of Water Supply, Gas and Electricity, for the supplying of water in the Fourth Ward of the Borough of Queens, at the rate of eighteen dollars (\$18) per hydrant for five (5) years from July 1, 1908.

I find on going over the contract before giving my assent and approval to same as is requested, pursuant to section 471 of the Greater New York Charter, that certain changes and modifications should be made. Although they may appear minor at this time, I think they should be made in order not to have any misunderstanding in the future. All of the suggestions and recommendations are acceptable to the attorney for the water company.

Therefore, I advise that the resolution adopted on November 13, 1908, approving a contract, between the Jamaica Water Supply Company and the Commissioner of Water Supply, Gas and Electricity for hydrant rentals be rescinded, and forward other forms to be approved by the Board of Estimate and Apportionment, pursuant to section 471 of the Greater New York Charter.

Yours very truly,

H. A. METZ, Comptroller.

Agreement made this 21st day of November, 1908, by and between The City of New York, hereinafter called the City, a municipal corporation, acting by and through the Commissioner of Water Supply, Gas and Electricity, hereinafter called the Commissioner, duly authorized so to do by the Board of Estimate and Apportionment of the City, and with the consent and approval in writing of both the Mayor and Comptroller of the City, party of the first part, and the Jamaica Water Supply Company, hereinafter called the Company, a domestic corporation having its principal place of business in the Fourth Ward of the Borough of Queens in this City, party of the second part, witnesseth:

That the parties hereto mutually covenant and agree as follows:

1. The Company will furnish through its hydrants already set, or which may hereafter be set, and through its mains and pipes already laid or which may hereafter be laid, all the pure and wholesome water that is or may be required by the City, its agents, servants or employees, for the extinguishment of fires, the testing of fire apparatus, the practice, drill and exhibition of firemen, and for use in any fire house, or police station, and for flushing and cleaning the streets, sewers and sidewalks, and for sprinkling the streets.

2. The Company shall at all times maintain a pressure of at least twenty-five pounds per square inch at each and every hydrant located at an elevation equal to or lower than 115 feet above mean high tide, and shall maintain at all times a pressure equal to an average head of water of 200 feet above mean high tide in the standpipes of the Company's system at all hydrants located at an elevation of 115 feet above mean high tide, and for failure to maintain at any hydrant the pressure above required to be maintained at such hydrant, when such failure is not due to an act of God or unavoidable contingency, the Company shall pay to the City for each and every such hydrant the sum of five dollars (\$5) per day for each and every day and fraction of a day that such pressure shall not be maintained thereat, and all such sums may be deducted from any moneys due or to become due to the Company at any time under this agreement.

3. The Company shall at all times keep its reservoirs, standpipes, mains, hydrants, stopcocks, wells, pumping machinery and pipes in good repair and working order, and in case of failure so to do, after ten (10) days' notice in writing from the Commissioner, the City may do the work necessary in the way of repairs or painting, and charge the cost thereof to the Company, and deduct the said cost from any moneys due or to become due to the Company under this agreement, provided, however, that if any hydrant, pipe or other apparatus of the Company be damaged by any agent or servant of the City, in the performance of his duties as such, reasonable wear and tear excepted, the cost of repair or of necessary new apparatus shall be paid by the City.

4. Hydrants hereafter set shall be connected with the mains by pipe not less than four (4) inches inside diameter, and all such hydrants shall be either the Eddy compression hydrant or a compression hydrant of equal standard.

5. All mains hereafter laid shall be not less than six (6) inches inside diameter, and all pipe and mains hereafter laid shall be of first quality cast-iron, tested to a hydrostatic pressure of three hundred (300) pounds to the square inch, and shall be thoroughly coated with approved coating at a temperature of three hundred (300) degrees Fahrenheit.

6. New mains shall be laid by the Company at its own expense within the Borough of Queens, when and where requested by the Commissioner, provided that no extension shall be required to be made between November 1 and April 1 of any year during the existence of this contract, unless the ground is free from frost, and provided also all necessary permits for the opening of streets for the purpose of laying such mains shall be furnished to the Company free of expense to the said Company, and provided also that the Commissioner shall not require the laying of new mains, unless at the same time he requires the erection by the Company upon its mains (whether new or old) of new hydrants averaging one for each 352 feet of new mains required to be laid. No extension of mains upon which hydrants are to be erected shall be made in public streets or work commenced thereon in the way of opening any streets, unless the Commissioner shall have directed the extension of such mains as above provided, and no new mains shall be laid in any public street, without ten days previous notice to the Commissioner, except such new section of mains as may be necessary to repair a break in a main previously laid.

7. All pipes and hydrants required by the Commissioner to be set or laid before being laid or set shall be subject to the inspection of the City acting by or through the Commissioner, his Engineers or such other agents as he may select, and when not in accordance with the terms of this agreement shall be rejected. The Department of Water Supply, Gas and Electricity of the City shall be informed at all times of the location of all mains laid and to be laid and hydrants set and to be set by the Company, and when new hydrants are set and water ready to be turned on written notice thereof shall be given to the City or the Commissioner. The Company shall furnish to the Commissioner within sixty days after the execution and delivery of this agreement a map, plan or blue print showing the location of all mains and hydrants and the number each hydrant bears, gates, blowoffs, specials, pumping stations, standpipes and reservoirs, the size of the mains and such other details and particulars as the Commissioner may require, after the execution and delivery of this agreement, and the Company shall also, ten days prior to the commencement of work on any alteration of said system and apparatus by way of extension, addition, elimination or otherwise, furnish to the Commissioner a map, plan or blue print showing such alterations and showing the portion of such system and apparatus to be altered. The Commissioner acting through his Engineers or such other agents as he may designate shall have the right to inspect and examine at all reasonable times during the day and night and at any season during the year the pipes, hydrants, wells, pumping stations, standpipes, reservoirs and all other property and apparatus of the Company.

8. The Company shall lower or raise and reset at its own expense its mains, pipes and hydrants, whenever necessary in the course of street improvements, and shall care for and protect those mains, pipes and hydrants while such grading or regrading is being done.

9. The Company shall at all times properly guard all openings made by it in any street, roadway or highway, and shall cause the same to be packed and refilled and all roadbeds, sidewalks, gutters and pavements to be replaced in as good condi-

tion as they were previously, and shall remove all surplus stone, dirt and other substances, and in case of failure so to do within five (5) days after the completion of the work the Commissioner may cause the same to be done and the cost thereof may be deducted from any moneys due or to become due to the Company under this agreement.

10. Gates and valves shall be placed by the Company on all mains and pipes which may hereafter be laid whenever and wherever directed by the Commissioner, so as to allow the supply of water to be shut off in case of accidents, repairs or extensions from any one portion of the system of distribution without affecting the supply to any other portion of the system.

11. The Company will execute and deliver to the City its bonds, with sureties to be approved by the Comptroller of the City in the penal sum of fifteen thousand dollars (\$15,000) conditioned to save and hold the City harmless from all suits and actions of every description and from all damages and costs by reason of injury to person or property, including streets, roads, highways and pavements, on account of or arising out of the acts or omissions of the Company or its officers, agents or employees, or by reason of breaks or failures in the pipes, hydrants or other apparatus of the Company, provided, however, that in the event of suit being brought, immediate notice thereof shall be given to the Company and surety, each of which shall have the right to employ counsel, at its own expense, to defend the same, and that it will pay each and every judgment recovered in the suit of which it had notice as above provided. Said bonds shall be further conditioned for the faithful performance by the Company of each and every condition, covenant and obligation imposed upon the Company by this agreement.

12. The City will pay to the Company and the Company will accept full compensation for water supplied as provided in clause 1 of this agreement, the sum of eighteen dollars per year, and at the same rate for fraction of a year for each and every hydrant now erected on its pipes and mains, and which may hereafter be erected in accordance with this agreement, and the map or blue print, provided for in clause 7, as accepted and approved by the Commissioner December, 1908, shall be evidence of the number of hydrants for which payment is to be made as above provided. The City will at all times upon the request of the Company furnish or cause to be furnished to the said Company a permit or permits for opening streets for the purpose of making repairs or laying mains and setting hydrants, and a continuous permit to open streets to make repairs in case of an emergency caused by a break or leak in the mains, hydrants, specials, etc., or for the purpose of shutting off the water in case of necessity. All such permits to be furnished without expense to the Company. Notice of each such opening shall be given the Commissioner within twenty-four hours after the beginning of work, and notice of the completion thereof shall be given within twenty-four hours after such completion.

13. On and after the 1st day of July and the 1st day of January of each year during the continuance of this agreement, the Company shall furnish proof to the satisfaction of the Commissioner that it has fully performed and fulfilled this agreement in all its particulars and conditions up to the said 1st day of July and the said 1st day of January, as the case may be, and particularly that it has furnished water of the quality and in the quantity hereinbefore specified, that the water so furnished has been delivered at each hydrant at the pressure described by clause 2 of this agreement during all the time that said water was required to be furnished; whereupon the Commissioner shall certify the fact, and in his certificate state the amount to which the Company shall be entitled, less any deductions allowed by the terms of this agreement, and shall annex thereto a requisition upon the Comptroller of the City to pay the Company the sum to which it shall be entitled, less such deductions; and without such certificate and requisition the Company shall not be or become entitled to any payment under and in respect to the terms of this agreement. On the requisition above provided being presented to said Comptroller, he shall, within thirty (30) days thereafter, pay to the Company the amount thereof in lawful money.

14. At all times during the continuance of this agreement the Company will supply to the inhabitants of the Borough of Queens residing on streets on which the mains of the Company are now or may hereafter be located, pure and wholesome water for domestic and other uses and purposes, and will charge for all water so supplied at rates not exceeding those now charged by the Company to its consumers as per rate book hereto attached, marked "A," and made a part of this agreement.

The water to be supplied under the terms of this contract shall be practically odorless, tasteless, clear and colorless, and be reasonably clear from organic matter and show no indication of sewer pollution. The amount of chlorine in such water shall average not more than twenty-five parts per million, and shall at no time exceed one hundred parts per million, and the amount of iron shall average not more than three parts per million, and shall at no time exceed five parts per million. The Commissioner and his agents, servants and employees shall at all times have the right to take samples of the said water at or near the point of delivery into the mains, and the taking and testing of such samples shall be entirely under the control and direction of said Commissioner. A copy of the result of all tests made shall be supplied free of expense to the Company.

15. This agreement shall continue and be binding upon and run in favor of the respective parties hereto, their and each of their successors and assigns for the term of five (5) years from July 1, 1908, or if prior to the expiration of such term of five (5) years the City shall establish in that portion of the Borough of Queens in which the mains of the Company now are or hereafter shall be laid, its own system of water supply, and shall give the Company sixty (60) days' notice in writing thereof, or if prior to the expiration of such period of five (5) years any proceeding to condemn the franchises, assets and other property of the Company shall be brought, this agreement shall terminate on such establishment and the expiration of the time stated in said notice, or upon the entry of the judgment of condemnation, but in no case shall this contract continue beyond the expiration of the said period of five (5) years. After the giving of the sixty (60) days' notice above provided for, the Commissioner shall not require any extension of mains to be laid, but the Company shall be paid the hydrant rentals provided for by this agreement during the existence of this agreement, up to the time that the City shall cease to use water supplied by the Company. The Commissioner may also, at his option, declare this agreement at an end in case of any breach of this agreement, and this agreement shall cease and terminate upon such declaration. In case of condemnation proceedings, as above provided, the title to the property, franchises and assets of the Company it is sought to condemn by such proceedings, shall vest in the City upon entry of such judgment of condemnation without further act on the part of the Company or the City, or the officers or agents of either.

16. The non-exclusive franchises of the Company to lay mains, pipes and hydrants and to deliver and supply water shall not be prejudiced or affected by this contract.

17. Nothing in this agreement shall be construed as to give the Company any exclusive right or privilege to lay mains and pipes and to erect hydrants and to maintain the same and other apparatus in the Borough of Queens, or to supply water to the City or the inhabitants thereof, or to limit the right of the City as hereinbefore provided to establish and maintain its own water supply system, and apparatus within the Borough of Queens, or the district within which the mains of the Company are now laid or may hereafter be laid. This agreement shall not bar or in any way affect the rights of the City to acquire the franchises, assets and other property of the Company, or any part thereof by condemnation proceedings or otherwise at any time and shall not be taken to enhance the value of or add to the Company's franchises, assets and other property, but, on the contrary, the assets, franchises and other property of the Company shall be valued in any proceeding to condemn the same without enhancement by reason of any provision of this contract being considered or allowed, save so far as the rentals constitute a part of the revenues of the Company.

18. This agreement, preliminary to its execution, has been submitted in all its details to the Board of Estimate and Apportionment of the City and to the Mayor and Comptroller of the City, and the assent of said Board has been given by resolution passed May 1, 1908, to the execution of this agreement, as submitted, and this agreement has also received the separate written consents and approvals of said Mayor and Comptroller.

19. The City shall not, nor shall any Department or officer of The City of New York be precluded or stopped by any return or certificate made or given by any Engineer, Inspector or other officer, agent or appointee of the Department of Water Supply, Gas and Electricity, or of the City under or in pursuance of anything in this contract contained, from any time showing the true and correct

amount and character of the service that shall have been supplied by the Company or any other person or persons under this contract.

20. This agreement shall not be binding or of any force unless the Comptroller of the City shall endorse hereon his certificate that there remains unexpended and unapplied, as provided in the Greater New York Charter, a balance of the appropriation of fund applicable thereto sufficient to pay the estimated expense of executing this agreement as certified by the officers making the same.

In Witness Whereof, the Commissioner has hereunto set his hand and seal, and the Company has caused its corporate seal to be hereto affixed, and this agreement to be signed in its name by its President and attested by its Secretary the day and year first above written, in triplicate.

As Commissioner of Water Supply, Gas and Electricity.

JAMAICA WATER SUPPLY COMPANY,

By ....., as President.

Approved as to Form:

....., Acting Corporation Counsel.

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

On this day of ....., 1908, before me personally came John H. O'Brien to me personally known and known to me to be the Commissioner of Water Supply, Gas and Electricity and the person described in and who executed the foregoing instrument as such Commissioner, and he acknowledged to me that he executed the same as such Commissioner for the purposes therein mentioned.

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

On this day of ....., 1908, before me personally came C. A. Lockwood to me known and known to me to be the President of the Jamaica Water Supply Company, who being by me duly sworn, did say that he was the President of said Company, and he said that he knew the corporate seal of said Company; that the seal affixed to the foregoing instrument was such corporate seal; that it was thereto affixed by order of the Board of Directors of said Company; and that by like order he thereto signed his name and official designation.

In pursuance of section 471 of the Greater New York Charter, I do hereby give my consent to and approval of the foregoing proposed agreement in all its details with the Jamaica Water Supply Company, for supplying water in the Borough of Queens, City of New York.

Dated New York, ....., 1908.

As Mayor of The City of New York.

In pursuance of section 471 of the Greater New York Charter, I do hereby give my consent to and approval of the foregoing proposed agreement in all its details with the Jamaica Water Supply Company, for supplying water in the Borough of Queens.

Dated New York, ....., 1908.

As Comptroller of The City of New York.

#### APPROPRIATION.

##### Commissioner's Certificate.

In conformity with the provisions of section 149 of the Greater New York Charter, I hereby certify that the estimated cost of the work, materials and supplies required by the within agreement for the year 1908, amounting ....., is chargeable to the appropriation of the Department of Water Supply, Gas and Electricity for the year 1908, entitled Rentals of Fire Hydrants, Borough of Queens.

Dated New York, ....., 1908.

As Commissioner of Water Supply, Gas and Electricity.

##### Comptroller's Certificate.

....., 1908.

In pursuance of the provisions of section 149 of the Greater New York Charter, I hereby certify that there remains unapplied and unexpended a balance of the appropriation made to the Department of Water Supply, Gas and Electricity for the year 1908, entitled Rentals of Fire Hydrants, Borough of Queens, applicable to this contract, sufficient to pay the expenses of executing the same, viz., Department of Water Supply, Gas and Electricity, Borough of Queens, Rentals of Fire Hydrants (\$.....).

Dated New York, ....., 1908.

As Comptroller.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment November 13, 1908, which reads as follows:

"Resolved, That, pursuant to the provisions of section 471 of the Greater New York Charter, the Board of Estimate and Apportionment hereby assents to and approves of, in all its details, the proposed contract or agreement, submitted by the Commissioner of Water Supply, Gas and Electricity, under date of June 20, 1908, as modified in accordance with the recommendations contained in the report of the Chief Engineer, Board of Estimate and Apportionment, dated November 10, 1908, between The City of New York, by the said Commissioner of Water Supply, Gas and Electricity, and the Jamaica Water Supply Company, for the supply of water in the Fourth Ward of the Borough of Queens, at the rate of eighteen dollars (\$18) per hydrant, for five years from the date of said contract or agreement."

—be and the same is hereby rescinded.

Which was adopted by the following vote:

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

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 471 of the Greater New York Charter, the Board of Estimate and Apportionment hereby assents to and approves of, in all its details, the proposed contract or agreement, submitted by the Commissioner of Water Supply, Gas and Electricity, under date of June 20, 1908, as modified, between The City of New York, by the said Commissioner of Water Supply, Gas and Electricity, and the Jamaica Water Supply Company, for the supply of water in the Fourth Ward of the Borough of Queens, at the rate of eighteen dollars (\$18) per hydrant annually for five years from the date of said contract or agreement.

Which was adopted by the following vote:

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

The Secretary presented a communication from the Comptroller, relative to the request of the Board of Education for the transfer of \$12,000 from the account Special School Fund, Care of School Buildings and Grounds, for the year 1908, to the account entitled Special School Fund, Borough of Manhattan, General Repairs, for the same year, recommending that said request be denied.

Which was ordered on file and a copy of the report sent to the Board of Education.

The Secretary presented the following communication from the Commissioner of Water Supply, Gas and Electricity, requesting the transfer of \$24,000 from the appropriation made for Fire Hydrant Rentals and Water Purchased, Borough of Brooklyn, to various other accounts for the year 1908, or the granting of a further appropriation to meet deficits in the accounts stated therein; together with communication from the Comptroller recommending the granting of an appropriation of \$14,000 from the water revenues received in the Borough of Brooklyn, during the year 1908, for the maintenance and distribution of water supply in said Borough for the same year.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
NEW YORK, November 23, 1908.

JOSEPH HAAG, Secretary, Board of Estimate and Apportionment:

DEAR SIR—In addition to the amounts appropriated for the year 1908 out of the water revenue for the Borough of Brooklyn for the Maintenance and Distribution of Water Supply in the Borough of Brooklyn, there is needed the further sum of \$24,000, apportioned to the following sub-accounts:

Office of Chief Engineer, Salaries and Wages.....	\$1,200 00
Collection and Storage, Watersheds, etc., Salaries and Wages.....	4,850 00
Pumping Stations, Salaries and Wages.....	3,850 00
Maintenance, Salaries and Wages.....	4,100 00
Pipes, Hydrants, Stopcocks, etc.....	10,000 00
	<hr/>
	\$24,000 00

In consequence of the contracts chargeable to the sub-account, Fire Hydrant Rentals and Water Purchased, falling considerably short of their estimated amounts, the \$24,000 above may be transferred from the last mentioned sub-account.

I therefore respectfully request that the Board of Estimate and Apportionment make such transfer or a further appropriation.

Respectfully,

JOHN H. O'BRIEN, Commissioner.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—I return herewith request of the Commissioner of the Department of Water Supply, Gas and Electricity for an additional appropriation from the water revenues of the Borough of Brooklyn to provide for the expense of the maintenance and distribution of the water supply of said Borough during the remainder of the current year, together with a report of the Bureau of Municipal Investigation and Statistics of the Department of Finance, relative to said matter, and in view of the statements made in said report, respectfully recommend the adoption of the resolution hereunto attached.

Respectfully,

H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a communication under date of November 23, 1908, addressed to the Board of Estimate and Apportionment by the Commissioner of the Department of Water Supply, Gas and Electricity, requesting an additional appropriation of \$24,000, from the water revenues of the Borough of Brooklyn for the year 1908 to provide for the maintenance and distribution of the water supply of said Borough for said year, I beg to submit the following report:

The several items comprising the requested amount of \$24,000 are as follows:

Office of Chief Engineer, Salaries and Wages.....	\$1,200 00
Collection and Storage, Watersheds, etc., Salaries and Wages.....	4,850 00
Pumping Stations, Salaries and Wages.....	3,850 00
Maintenance, Salaries and Wages.....	4,100 00
Maintenance, Pipes, Hydrants, Stop-cocks, etc.....	10,000 00
	<hr/>
Total.....	\$24,000 00

The Commissioner states that since a surplus exists in the appropriation account entitled Fire Hydrant Rentals and Water Purchased, a transfer of \$24,000 may be made from said account.

A compliance with this proposition would necessitate a transfer of \$14,000 from a Supply account to a Salaries and Wages account, which form of transfer has not been favored by the Comptroller and hence such transfer has not been approved in this report. Certain existing deficiencies in said Salaries and Wages accounts should, however, in your Examiner's opinion be provided for by an additional appropriation, as follows:

*Office of Chief Engineer, Salaries and Wages.*

The amount allowed by the Board of Estimate and Apportionment for such purpose during the year 1908 was \$23,000 against which amount appear upon the books of the Department of Finance up to December 12, 1908, disbursements to the amount of \$22,068.91, leaving an unexpended balance of but \$931.09 to provide for the December, 1908, payroll. The November payroll was \$2,150.83, hence the additional \$1,200 requested appears to be a conservative estimate of the requirements of this account for the balance of the current year. The excess of expenditures over appropriation is explained by the reinstatement during May, 1908, of a Clerk at \$600 per annum and the transfer to the office of the Chief Engineer of an Inspector at \$1,500 per annum from the laboratory payroll, which is provided for in the Budget. The requested additional allowance of \$1,200 is therefore approved.

*Collection and Storage, Watersheds, etc., Salaries and Wages.*

The amount allowed for such purpose for 1908 was \$125,000, as against a requested appropriation of \$151,997, and the disbursements up to December 12, 1908, as shown by the books of the Department of Finance were \$114,711.51, to which must be added the weekly roll of December 2, 1908, namely, \$2,741, making total disbursements for the eleven months of \$117,452.51, and leaving a balance of \$7,547.49 in said account. The November payroll was \$12,204.16 and the December roll will probably exceed this amount due to the appointment of additional Laborers during the month of November.

It would therefore appear that the amount requested to provide for the deficiency, namely, \$4,850 is no more than will probably be needed.

The increase of expenditures over the appropriation is accounted for by a memorandum furnished by the Acting Chief Engineer reading in part, as follows:

"Also, the laboring force had to be materially increased to enable us to clean out the Wantagh Pond, which had to be drawn down to permit of the construction of the bridge crossing the stream from the outlet of said pond. This pond was in great need of cleaning, and advantage had to be taken of this opportunity to do so. Consequently a large force of men had to be placed at work, necessitating the appointment of additional Laborers. \* \* \* also the increasing of the well-driving force, made necessary in order to enable us to keep up the supply of water during the extremely dry season through which we have just passed."

In view of the preceding statements the requested allowance of \$4,850 is approved.

*Pumping Stations, Salaries and Wages.*

The amount requested for this purpose for 1908 was \$753,079.60 and the amount allowed was \$615,000, against which appear on the books of the Department of Finance disbursements up to December 12, 1908, amounting to \$564,000.56 to which must be added the weekly payroll of December 2, 1908, namely, \$2,174.96, making the total

disbursements for eleven months \$566,175.52, leaving an unexpended balance of \$48,824.48 to provide for the December payrolls. The average of the October and November rolls was \$52,677.44 hence the amount requested to provide for the deficiency, namely, \$3,850, would appear to be no more than is necessary for said purpose. The increase of expenditures over appropriation is accounted for by the taking over of the Massapequa Infiltration Gallery Plant, for which no provision was made in the amount allowed, and by putting several small stations on twenty-four hours time owing to the shortage of water during September and October according to statements of the Commissioner's representative. The Acting Chief Engineer states that the natural increase of the work under the supervision of the Assistant Engineer in charge of pumping stations also necessitated an increasing in the force. In view of the preceding statements the request for an additional \$3,850 is approved.

*Maintenance, Salaries and Wages.*

The amount allowed for the above purpose for 1908 was \$335,000 against which appear on the books of the Department of Finance disbursements, up to December 12, 1908, amounting to \$307,598.45 to which must be added the weekly roll of December 2, 1908, namely, \$4,730.47, making the total disbursements for eleven months \$312,328.92, and leaving an unexpended balance of \$22,671.08 to provide for the December payrolls. The average of the October and November rolls was \$26,830.47, hence the amount requested to provide for the deficiency, namely, \$4,100 would appear to be no more than is necessary for said purpose. The increase of expenditures for 1908 over the amount appropriated for said year is as stated by the Commissioner's representative, accounted for by extra time of employees making necessary connections with mains which could only be done in the evening when water could be shut off without causing unnecessary hardship to the consumers. In view of the preceding statements the request for an additional allowance of \$4,100 is approved.

*Maintenance of Pipes, Hydrants, Stop-cocks, etc.*

The amount requested in the Commissioner's departmental estimate of this expense for 1908 was \$20,215, and the amount allowed by the Board of Estimate and Apportionment was \$20,200, practically the entire amount asked for. In addition thereto a further allowance of \$10,000 is now requested. The disbursements against this account up to December 12, 1908, as shown by the books of the Department of Finance were only \$7,175.20, but the Commissioner's representative stated that the contingent liabilities on contract and open orders against said account will necessitate a replenishment to the amount of the \$10,000 asked. A large portion of these contingent liabilities, however, represent supplies not yet delivered nor required for the actual needs of the Department of Water Supply, Gas and Electricity during the current year. It would therefore appear that by cancelling such open orders as have not yet been filled and by recertifying the undelivered amounts of said contracts against the appropriation made for the year 1909 the necessity for a transfer or further appropriation can be obviated. Your Examiner has, therefore, not approved of the request for an additional \$10,000.

*Summary.*

In view of the preceding statements, your Examiner respectfully recommends that a further appropriation of \$14,000 to provide for the deficiencies found to exist in the four Salaries and Wages accounts, as follows:

Administration, Salaries and Wages, Office of Chief Engineer.....	\$1,200 00
Collection and Storage—	
Watersheds, Aqueducts, Ponds and Reservoirs, Salaries and Wages..	4,850 00
Pumping Stations, Salaries and Wages.....	3,850 00
Maintenance, Salaries and Wages.....	4,100 00
	<hr/>
Total.....	\$14,000 00

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following was offered:

Whereas, By subdivision 1 of section 242 of the Greater New York Charter, the Board of Estimate and Apportionment has the power to appropriate from time to time for the maintenance, improvement and extension of the system of water supply of the Borough of Brooklyn the moneys received from water rents in said Borough, subject, however, to the charges now imposed by law upon said revenue; and

Whereas, The Board of Estimate and Apportionment appropriated on December 20, 1907, \$900,000; on March 27, 1908, \$150,000; on May 1, 1908, \$175,000; and on June 19, 1908, \$977,000, a total of \$2,202,000, for said purpose during the year 1908; and

Whereas, The Commissioner of the Department of Water Supply, Gas and Electricity has requested an additional appropriation of \$24,000 to meet the expenses of such maintenance, improvement and extension for the balance of said year; and

Whereas, The Comptroller has determined the sum of \$14,000 as the amount necessary to be approved for said purpose during the balance of said year; therefore be it

Resolved, That the Board of Estimate and Apportionment hereby determines that the additional sum of fourteen thousand dollars (\$14,000) be and hereby is set aside and appropriated from the water revenues received in the Borough of Brooklyn during the year 1908 for the maintenance and distribution of the water supply in said Borough during 1908, said appropriation to be apportioned as follows:

Administration—Salaries and Wages, Office of Chief Engineer.....	\$1,200 00
Collection and Storage—	
Watersheds, Aqueducts, Ponds and Reservoirs, Salaries and Wages..	4,850 00
Pumping Stations, Salaries and Wages.....	3,850 00
Maintenance—Salaries and Wages.....	4,100 00
	<hr/>
	\$14,000 00

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Comptroller certifying the claim of Charles A. Phillips, M. D., in the sum of \$3,143.55 (pursuant to chapter 601, Laws of 1907); for services rendered as Coroner's Clerk to Michael J. Flaherty, Coroner of Brooklyn, from January 8, 1904, to August 31, 1905.

(On December 11, 1908, a resolution authorizing the settlement of the above claim in the sum of \$3,143.55 failed of adoption, not receiving the unanimous vote of the Board, as required by chapter 601 of the Laws of 1907.)

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
September 22, 1908.

To the Board of Estimate and Apportionment:

GENTLEMEN—Under and pursuant to the provisions of chapter 601 of the Laws of 1907 of the State of New York, entitled "An act to amend the Greater New York Charter in relation to the powers of the Board of Estimate and Apportionment," I hereby certify that a claim has been presented by Charles A. Phillips for the sum of \$3,909.62 for services rendered by him as Clerk to Coroner Michael J. Flaherty of the Borough of Brooklyn, during the period from January 8, 1904, to August 31, 1905, under an appointment under chapter 370, section 12 of the Laws of 1899; that said claim is illegal or invalid as against The City of New York by reason of technical

objections thereto; that in my judgment it is equitable and proper for the City to pay part of said claim, inasmuch as the City has received value for said part and that \$3,143.55 is the amount which should be paid upon the said claim.

Respectfully,

H. A. METZ, Comptroller.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
September 23, 1908.

In the Matter  
of

The claim presented by Charles A. Phillips, M. D., to the Board of Estimate and Apportionment under chapter 601 of the Laws of 1907, for the sum of \$3,909.62, with interest from August 31, 1905, for services alleged to have been rendered as Coroner's Clerk to Michael J. Flaherty, Coroner, Borough of Brooklyn, from January 8, 1904, to August 31, 1905.

Hon. HERMAN A. METZ, Comptroller:

SIR—The claim herein for the sum of \$3,909.62, with interest from August 31, 1905, has been presented to the Board of Estimate and Apportionment under and pursuant to the provisions of chapter 601 of the Laws of 1907, for compensation for services rendered by claimant as Coroner's Clerk to Michael J. Flaherty, Coroner, Borough of Brooklyn, from January 8, 1904, to August 31, 1905.

The claimant alleged that on January 8, 1904, the said Coroner, Michael J. Flaherty, duly appointed him Clerk to Coroner, under section 12 of the Civil Service Law, and that he qualified as said Clerk from said January 8, 1904, until August 31, 1905, and performed all the duties imposed upon him as required by law; that on February 5, 1904, said position was placed in the exempt class of the Civil Service; that by reason of said service the claimant became entitled to be paid therefor by The City of New York an annual salary to be fixed by the Board of Estimate and Apportionment and the Board of Aldermen; that on February 16, 1904, the Board of Aldermen passed the following resolution:

"Resolved, That the Board of Estimate and Apportionment be and they are hereby requested, pursuant to the provisions of said subdivision 8, section 188 of Greater New York Charter, to issue Special Revenue Bonds of The City of New York to the amount of \$9,000 for the purpose of providing for the salaries of four additional Clerks to the Coroners in the Boroughs of Brooklyn and Queens, fixing the salaries of each of the Brooklyn Clerks at \$2,500 and the Queens at \$2,000 per annum."

—that said resolution was returned to said Board of Aldermen by the Mayor on March 1, 1904, without his approval thereof, and that it thereupon took effect as if he had approved it, as provided by section 40 of said Charter; that the claimant received no compensation whatever for said services, and that demand was duly made upon the Board of Estimate and Apportionment that it take official action on the matter and fix the annual salary to which the claimant was entitled and that said Board raise and provide money to pay the claimant his salary; that the proposition to compensate the claimant for his services as such Clerk was referred by the Board of Estimate and Apportionment to Mr. Martin W. Littleton, who was then President of the Borough of Brooklyn, for examination and report; that after due consideration of the matter the said Borough President, Mr. Littleton, reported back to said Board that in his opinion the claim for said salary was just and should be paid; that a similar proposition relating to Clerks to Coroners, Borough of Queens, having been submitted, and the same having been referred to the Corporation Counsel, the Board of Estimate and Apportionment decided to await his opinion before taking further action in the matter; that upon the motion of the Comptroller the matter was then laid over until the making up of the Budget for the (then) coming year; that on or about December 1, 1904, an order was issued out of the Supreme Court, County of Kings, by J. T. Marean, Justice, to the Board of Estimate and Apportionment of The City of New York, directing the members thereof to show cause before the said Court on December 17, 1904, why the salary of the claimant should not be paid; that on December 31, a peremptory writ of mandamus was issued by Justice Dickey of the Supreme Court to the Board of Estimate and Apportionment requiring the members thereof to forthwith meet and fix an annual salary to be paid to the claimant, and to raise and provide the money to pay his annual salary of \$2,500 as fixed by the Board of Aldermen; that an appeal having been taken by the Board of Estimate and Apportionment under date of January 4, 1905, from said order of Justice Dickey, the right to said peremptory writ of mandamus was denied the claimant by the Appellate Division of the Supreme Court, Second Department.

It was contended by claimant's counsel that the claim herein could not be made a legal or valid claim against The City of New York, and that that fact should be certified by the Comptroller to the Board of Estimate and Apportionment, as provided in chapter 601 of the Laws of 1907. In support of this contention, claimant's counsel referred to the opinion of the Appellate Division of the Supreme Court, Second Department, reversing the order of the lower Court in the matter of the application of the claimant for a peremptory writ of mandamus, and denying to the claimant the right to said peremptory writ.

It was further contended by the claimant's counsel that the claim herein was not a claim for services performed under an appointment in violation of the provisions of the Civil Service Law, and should be so certified by the Comptroller to the Board of Estimate and Apportionment as provided by chapter 601 of the Laws of 1907. In support of this contention, claimant's counsel referred to chapter 370, section 12 of the Laws of 1899, including among the positions in the exempt class of the Civil Service, "one Clerk and one Deputy Clerk, if authorized by law, of each Court, and one Clerk to each elective judicial officer." Claimant's counsel contended that the law makes the office of Coroner an elective judicial office, and that the position of the claimant has been duly placed in the exempt class.

The claimant, Charles A. Phillips, was examined relative to the claim herein on March 28, 1908, and testified as follows: I reside at No. 371 Greene avenue, Brooklyn, and I am a practicing physician. I performed certain services as Coroner's Clerk to Mr. Michael J. Flaherty, Coroner of the Borough of Brooklyn, from January 8, 1904, to August 31, 1905. I was appointed by Mr. Flaherty January 4, 1904. I forget whether it was January 4 or January 8, that I went to work. It was about that date. The duties were work around the office, furnishing information about cases, usually clerical work. I continued to serve as such Clerk until August 31, 1905. At the time of my appointment my salary was designated at \$2,500 per year. I never received any of that salary. I was employed continuously as such Clerk from January 8, 1904, to August 31, 1905. I found out after I began my duties that no appropriation had been made for my salary. I did not know that no appropriation had been made for the salary at the time I accepted the appointment. I did not know it was necessary to have an appropriation. I instituted legal proceedings to compel the City to pay my salary, but was not finally successful. I resigned in the end because they had not paid me any salary. In my duties as Clerk I acted as personal representative of the Coroner. When he had any letters to write I wrote them. I acted as a secretary. There were two Coroners in Kings County, the other Coroner was Phillip T. Williams. He had a Clerk named McNeile performing the same duties as myself.

In a communication relative to the claim herein dated April 20, 1908, Mr. Michael J. Flaherty, formerly Coroner of the Borough of Brooklyn, stated that the claimant was appointed a Clerk by him under the same law as that permitting the Coroners of the Boroughs of Manhattan and The Bronx to so appoint, and under which law all of the Coroners of The City of New York are entitled to appoint their personal Clerks, under section 12, subdivision 3, chapter 370 of the Laws of 1899, which law permits the appointment of one Clerk to each "elected judicial officer"; that previous to the appointment of Mr. Phillips the Coroners of Manhattan and The Bronx made appointments under the section of the law above mentioned, but the Comptroller refused to pay their salaries; that the Courts, however, sustained the right of the Coroners to make such appointments, and directed the payment of the Clerks' salaries; that "acting under that decision, I appointed Mr. Phillips"; that "I did not appoint him in violation of law, but in accordance with the Supreme Court decision in the First Department"; that "Comptroller Grout refused to pay the salary of Mr. Phillips

though paying the salaries of the other Coroner's Clerks similarly appointed"; that "the matter was taken to the Supreme Court in the Second Department, which ordered the payment of the salary"; that "it was then appealed to the Appellate Division which reversed the lower Court on a most peculiar misunderstanding"; that "I have never held that I, as a Coroner, had a right to appoint a Clerk under section 1570 or 1571, or any other section of the City Charter, and why Judge Woodward assumed that I did, I cannot understand"; that "when I appointed Mr. Phillips a Clerk, I did so expressly under the law giving the right of such appointment to an 'elected judicial officer'; that 'someone has blundered, and because of this blunder Mr. Phillips has not only lost his position, but has been deprived of his salary'; that 'let me repeat, I did not appoint Charles A. Phillips Clerk under the section of the City Charter that Judge Woodward assumed I did, but I did appoint Charles A. Phillips a Clerk under section 12, subdivision 3, as before mentioned, the right of such an appointment having been affirmed by the Supreme Court of the First Department, and it was because of that decision affecting the right of the Coroners in Manhattan that I, elected a Coroner under the same act as were all other Coroners of the City, that I, being an 'elected judicial officer' appointed Mr. Phillips Clerk"; that "his salary should have been paid in the first instance."

The claim herein is similar to that of Hector McNeile (No. 54,399), reported on by the Bureau of Law and Adjustment of this Department under date of January 20, 1908. Said claim was for services alleged to have been rendered by the claimant as Coroner's Clerk to Phillip T. Williams, Coroner of the Borough of Brooklyn, from January 8, 1904, to May 15, 1905. Mr. Williams and Mr. Flaherty served as Coroners of the Borough of Brooklyn at the same time, and the claimant McNeile was appointed under circumstances similar to the appointment of the claimant Phillips.

In the report by this Bureau on the said claim of Hector McNeile, it was pointed out that the power of each of the Coroners of The City of New York to appoint private Clerks had been the subject of at least two opinions addressed to this Department by the Corporation Counsel. The first of these opinions was dated March 30, 1903, and was as follows:

"Hon. EDWARD M. GROUT, Comptroller:

"SIR—I am in receipt of a communication from N. Taylor Phillips, Esq., Deputy Comptroller, bearing date 16 February, enclosing for opinion a payroll covering services rendered by four private clerks in the office of the Coroners, Borough of Manhattan, during the month of January, 1903.

"The Civil Service Commission has attached its certificate of approval to this payroll, except as regards the name of Frank E. White.

"Mr. Phillips states that the payroll for the latter part of the year 1902 was acted upon by me in a communication dated February 13, 1903, in response to a request from your office under date of January 8, 1903, in which it was held that sufficient authority was not shown for the appointment of the clerks in the absence of sufficient appropriation, but I stated that the decision did not necessarily affect the question of compensation for the year 1903.

"Mr. Phillips begs to refer me to the communication of January 8, 1903, already mentioned, and asks if payment of the payroll enclosed for the three clerks passed by the Civil Service Commission may be legally made.

"I find on examination of the facts that the Board of Coroners for the Borough of Manhattan, on August 29, 1902, submitted for the consideration of the Board of Estimate and Apportionment, through the Comptroller, a statement of salaries and expenses which would be required for the Coroners' office for the year 1903.

"The statement in question has the number of employees of different classes and grades and also the proposed salaries to be paid to them, among others, 'Four personal clerks, \$2,000 each, one to each Coroner'.

"In addition to the salaries of subordinates the Coroners asked for a Contingent Fund of \$2,400 for incidental expenses.

"The entire amount asked for by the Board of Coroners was \$62,500.

"An examination of the budget of 1903, as finally adopted, shows this item: 'Salaries and Expenses of Coroners in the Borough of Manhattan, \$60,000'.

"No other action has been taken apparently by either the Board of Estimate and Apportionment or the Board of Aldermen in connection with salaries in the office of the Coroners.

"It was beyond doubt the intention of the present Charter that the allowance for salaries should be made to the different departments by specific items fixing the salaries of the various classes of employees, and not by giving to the departments a gross sum including the total amount of salaries and of various other expenses.

"But in the present case while the form of the appropriation does not throw light upon the opinion of the Board as to the various items of the estimate presented by the Coroners, some effect must be given, if possible, to the allowance of \$60,000 in the budget already referred to.

"Either this allowance is entirely void and there can be no payment of salaries or expenses under it, or the Boards must have meant that the Coroners could apply the sum of \$60,000 allowed by them in the budget, to the payment of the expenses of the Coroners' estimate so far as the \$60,000 would go.

"In my opinion, therefore, the Coroners in the Borough of Manhattan are authorized for the year 1903 to expend in the office the sum of \$60,000 in the manner stated in their estimate, so far as the amount in question will pay these expenses.

"It is evident, of course, that there must be a reduction of \$2,500 on the expenses in the proposed estimate, but I think, under the circumstances, the Coroners of the Borough of Manhattan should have discretion as to which item or items of expense they will make deduction to bring the total expenditure within \$60,000, the amount allowed to their office.

"I think that the salaries to be paid this year by the Coroners should conform to the figures proposed by them to the Board of Estimate and Apportionment, and that if any reduction should be necessary it should be rather in the way of reduction of office force than in a reduction of salaries.

"I have to advise you, therefore, that in my opinion the payroll enclosed by Mr. Phillips can be paid by you as regards the three private clerks certified by the Municipal Civil Service Commission, provided, of course, that the payment of the clerks does not make the appropriation run beyond the allowance of \$60,000 made in the budget.

"Yours respectfully,

"G. L. RIVES, Corporation Counsel."

The second opinion was dated June 13, 1904, and was as follows:

"J. W. STEVENSON, Esq., Deputy Comptroller:

"SIR—I am in due receipt of your communication bearing date February 23, stating that at the meeting of the Board of Estimate and Apportionment held 19th February, 1904, the enclosed communication from the Coroners of the Borough of Queens, notifying the Board of Estimate and Apportionment of the appointment of Clerks to said Coroners and requesting an appropriation for the annual salaries of said clerks were presented and referred to me for consideration and report.

"In answer to this communication I have to say that my response to Mr. Stevenson's letter has been delayed by being unable to obtain for some time necessary facts in regard to the organization of the office of the Coroners in question.

"The contention of the Coroners of the Borough of Queens is that they are each entitled to a Clerk in the exempt class under section 12, subdivision 3 of the Civil Service Law, which places in the exempt class 'one Clerk and one Deputy Clerk if authorized by law, in each grade, and one Clerk to each elective judicial officer'.

"This Department has already held that under the section and subdivision in question of the Civil Service Law, the Coroners in the Boroughs of Manhattan and The Bronx were each entitled to a Clerk in the exempt class and this position has been so classified by the Municipal Civil Service Commission.

"In my opinion the same rule applied to the Borough of Queens and each of the Coroners in that Borough is entitled to one Clerk.

"Application should be made to the Coroners to classify those Clerks in the exempt class, it apparently not having been done, but I do not think the failure to classify these Clerks, who are exempt by law, deprives them of a right to compensation.

"Yours respectfully,

(Signed) "JOHN J. DELANY, Corporation Counsel."

Inasmuch as the claim herein is on all fours with said claim of Hector McNeile, reference is made to the following part of the report of this Bureau on said claim:

"The difficulty here seems to have been not that there is any question that the Coroners of the Borough of Brooklyn each had and has the right to appoint a private Clerk, but that after the appointment of claimant the Board of Estimate failed to provide any salary for the position to which the claimant was appointed. It should be stated in this connection, that prior to claimant's appointment the Coroners of the Borough of Brooklyn had not exercised the right which seems to be conferred upon them by law, to each appoint a private clerk, which accounts for the fact that at the time of claimant's appointment there was no salary provided for such position. The position of Clerk to Coroner in all the Boroughs of The City of New York is in the exempt class. The position of Clerk to Coroner in the Borough of Brooklyn was placed in the exempt class by the State Civil Service Commission on February 6, 1904, said Commission thereby concurring to the action of the Municipal Civil Service Commission of The City of New York, previously taken, placing said position in said class of the Civil Service.

"The following schedule shows the Clerks who are allowed to the Coroners of the various Boroughs of The City of New York under the rules and regulations of the Civil Service Commission, all being in the exempt class:

BOROUGH OF MANHATTAN.	
1 Chief Clerk.....	\$3,000 00
4 Clerks to Coroner (being one to each Coroner).....	2,000 00
BOROUGH OF THE BRONX.	
1 Chief Clerk.....	3,000 00
2 Clerks to Coroner (being one to each Coroner).....	1,600 00
BOROUGH OF BROOKLYN.	
1 Chief Clerk.....	3,000 00
2 Clerks to Coroner, vacant (being one to each Coroner).....	
BOROUGH OF QUEENS.	
1 Chief Clerk.....	3,000 00
2 Clerks to Coroner, vacant (being one to each Coroner).....	
BOROUGH OF RICHMOND.	
1 Chief Clerk.....	1,500 00
1 Clerk to Coroner.....	1,500 00

"It will be seen from the foregoing that Brooklyn and Queens are the only two Boroughs of The City of New York where the position of Clerk to Coroner is not filled. It appears that the only requisite lacking to make the position more than the mere nominal one it now is in those Boroughs is the salary to go with it, which, as stated, has not been appropriated by the Board of Estimate and Apportionment. This, in itself, however, seems to be sufficient, as a matter of law, to preclude the claimant from recovering for the services rendered by him in the position of Coroner's Clerk. Whether or not the claimant is entitled to the relief afforded by chapter 601 of the Laws of 1907 is a question which should be passed upon by the Corporation Counsel."

Under date of June 3, 1908, the Corporation Counsel addressed a communication to the Comptroller relative to the said claim of Hector McNeile, in which he stated that it appeared from the report of this Department that the chairman on January 8, 1904, was appointed by Philip T. Williams, Coroner of Kings County, as Coroner's Clerk, pursuant to section 12 of the Civil Service Law, and that he qualified as such Clerk, and from said last mentioned date until May 15, 1905, he performed all the duties imposed upon him by said position, and that on January 5, 1904, this position was placed in the exempt class of the Civil Service; that on February 16, 1904, the Board of Aldermen adopted a resolution requesting the Board of Estimate and Apportionment, pursuant to the provisions of section 188, subdivision 8, of the Charter, to issue Special Revenue Bonds to the amount of \$9,000, for the purpose of providing for four additional Clerks to Coroners of the Boroughs of Brooklyn and Queens, fixing the salaries of each of the Brooklyn Clerks at \$2,500, and that of the Queens Clerks at \$2,000 per annum; that this resolution was returned to the Board by his Honor the Mayor, March 1, 1904, without his approval or disapproval, and thereupon the same took effect as provided by section 40 of the Charter; that the Board of Estimate and Apportionment, however, has never fixed the compensation of Clerk to the Coroner in Brooklyn and Queens; that it appeared that the claimant McNeile made an application for a writ of mandamus to compel the Board of Estimate and Apportionment to fix an annual salary to be paid him, and to provide the funds for the payment of his salary; that this application was made under the provisions of section 1571 of the Charter; that the Court denied the application (Matter of McNeile, 107 App. Div. 338), upon the ground that the Coroners in each Borough shall appoint a Clerk, who shall receive an annual salary to be fixed by the Board of Estimate and Apportionment and the Board of Aldermen, and such and so many assistant Clerks as shall be provided for in the annual Budget, and that there was no authority in each Coroner to appoint a Clerk under section 1571 of the Charter, but only one Clerk for each Borough, and assistant Clerks; that the Clerks here referred to are the Clerks composing the clerical force in the Coroner's office, which positions are classified by the Municipal Civil Service Commission in the competitive class; that the claimant's position, however, it would seem, was the position of Clerk to the Coroner, which was placed in the exempt class by the State Civil Service Commission on February 5, 1904, the incumbent of which is more in the nature of a secretary to the Coroner within the meaning of section 12, subdivision 3 of the Civil Service Law, authorizing one to each elected judicial officer; that reference is made in the report to two opinions rendered by this office, one dated March 30, 1903, addressed to the Comptroller, and one dated June 13, 1904, addressed to the Deputy Comptroller, in effect; that each Coroner was entitled to a Clerk within the provisions of the Civil Service Law above referred to; that it was stated in the report that the difficulty in the case under consideration seems to have been, not that there is any question that the Coroners of the Borough of Brooklyn each had and has the right to appoint a private Clerk, but that after the appointment of claimant the Board of Estimate failed to provide any salary for the position to which the claimant was appointed, and that the Board of Estimate and Apportionment has never made any appropriation for the Coroner's office, Borough of Brooklyn, to pay the compensation of a private Clerk to the Coroner.

The Corporation Counsel stated further that chapter 601 of the Laws of 1907, by express terms, does not apply to any claim for salary by virtue of any appointment made contrary to the Civil Service Laws, but that from the papers transmitted with the claim herein it deemed that there was no question but that the appointment of the claimant was not in contravention of the provisions of the Civil Service Law, and that, therefore, this claim came fairly within the purview of said act, and the Comptroller was empowered thereunder to present this matter to the Board of Estimate and Apportionment if he saw fit; that care, of course, should be taken to have proper proof of the appointment of the claimant, as alleged, and of the rendition by him of the services as alleged; that as to the amount which he should be allowed in case it was decided to act favorably upon the claim, that was a question which would have to be determined by the Comptroller and the Board of Estimate and Apportionment as to what would be reasonable for the services rendered.

The claimant herein is in exactly the same position as the claimant McNeile, and the above opinion of the Corporation Counsel in the matter of the McNeile claim applies with equal force to this claim.

In support of his own allegation and testimony that he performed the duties of Coroner's Clerk during the period of his claim, claimant has submitted an affidavit by Michael J. Flaherty, in which he avers that he was one of the Coroners of the Borough of Brooklyn from January 1, 1902, to January 1, 1906; that on January 1, 1904, he appointed Charles A. Phillips Coroner's Clerk, and that said Charles A. Phillips served as Coroner's Clerk from January 8, 1904, to and including August 31, 1905, and that during that time the said Charles A. Phillips discharged all of the duties imposed on him as said Coroner's Clerk.

There now remains to be considered the question of the value of claimant's services. The claimant makes claim for compensation at the rate of \$2,500 a year, but the fact is that no salary ever was fixed for the position of Clerk to Coroner in the Borough of Brooklyn. Coroners' Clerks in the Borough of Manhattan receive \$2,000 a year, and that salary should be the basis of any allowance to this claimant. Furthermore, while the claimant was appointed on January 1, 1904, the position of Coroner's Clerk was not placed in the exempt class until February 5, 1904. In the event of the

adjustment of this claim, the claimant, therefore, should be allowed compensation only from the time the position in question was placed in the exempt class.

In view of the foregoing facts, it is, therefore, respectfully recommended that any allowance to the claimant herein be computed on the basis of \$2,000 a year for the period from February 5, 1904, to August 31, 1905. There would be due the claimant, on that basis for the time mentioned, the sum of \$3,143.55.

This report is submitted to you for such consideration and action as you may deem advisable in the premises.

Respectfully,

H. J. WALSH, Commissioner of Accounts.

Approved:

T. J. MAHONEY, Chief, Bureau of Law and Adjustment.

I hereby order and direct that the claim herein be certified to the Board of Estimate and Apportionment as a claim which is an illegal or invalid charge against the City, by reason of technical objections thereto, but as one nevertheless which it would be equitable and proper for the City to pay in the sum of \$3,143.55, without interest.

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That pursuant to the provisions of chapter 601 of the Laws of 1907, the Board of Estimate and Apportionment hereby determines that the City has received a benefit and is justly and equitably obligated to pay, without interest, to Charles A. Phillips the sum of three thousand one hundred and forty-three dollars and fifty-five cents (\$3,143.55) for services rendered by him as Clerk to Coroner Michael J. Flaherty of the Borough of Brooklyn, during the period from January 8, 1904, to August 31, 1905, under an appointment pursuant to the provisions of chapter 370, section 12, of the Laws of 1899; that the said sum shall be paid in full satisfaction of the claim which has been presented on behalf of said Charles A. Phillips in the sum of three thousand nine hundred and nine dollars and sixty-two cents (\$3,909.62), and shall only be paid upon the execution by him of a full release in favor of the City in such form as shall be approved by the Corporation Counsel; and for the purpose of providing means for such payment, the Comptroller be and he is hereby authorized, pursuant to the provisions of said chapter 601 of the Laws of 1907, to issue Special Revenue Bonds of The City of New York, to an amount not exceeding three thousand one hundred and forty-three dollars and fifty-five cents (\$3,143.55), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented communications as follows:

From the President of the Borough of Queens, requesting an issue of \$333,250 Corporate Stock for the use of the Topographical Bureau in preparing and completing maps and monuments, and the monumenting of all territory within said Borough during the year 1909.

From Brigadier-General David E. Austen, Chief of Coast Artillery, N. G., N. Y., requesting an appropriation of \$1,460 for the compensation of an Armorer for headquarters of the Chief of Coast Artillery during the year 1909, at the rate of \$4 per diem.

From the Department of Public Charities, requesting authority to advertise and contract for a heating plant and laundry for the Metropolitan Hospital, Blackwells Island, pursuant to the provisions of section 1554 of the Charter, under the specifications as prepared by the architect.

Which were referred to the Comptroller.

The Secretary presented a communication from the Chairman of the Committee on Foreign Commerce and Revenue Laws of the Chamber of Commerce, submitting copy of report of said Committee on the question of traffic congestion on Manhattan Island, and the possible relief on the streets in the lower part of the City through the continuation of the marginal way on the North River front, from Thirtieth to Fiftieth street, and by the widening of two or more of the lower crosstown streets for the purpose of providing freer access to and from West street and relieving other lateral streets.

Which was referred to the Chief Engineer.

The Secretary presented a report of the Comptroller, recommending an issue of \$5,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to provide for deficiencies in the Supplies and Contingencies account of the District Attorney of Kings County for the year 1908.

Which was laid over for the next meeting.

(On December 4, 1908, a resolution of the Board of Aldermen requesting the above issue was referred to the Comptroller.)

The Secretary presented a report of the Comptroller recommending an issue of \$113,340 Corporate Stock for the use of the Topographical Bureau, Borough of The Bronx, for the purpose of preparing and completing maps of all territory within said Borough during the year 1909.

Which was laid over.

(On November 20, 1908, the request of the President of the Borough of The Bronx for an issue of \$123,000 Corporate Stock for the above purpose was referred to the Comptroller.)

The Secretary presented the following resolution of the Board of Aldermen, requesting an issue of \$340 Special Revenue Bonds (subdivision 8 of section 188 of the Charter) to defray the expense of exhuming and reintering the bodies of seventeen veterans of the Civil War now buried in various scattered graves in the old Canarsie Cemetery, Borough of Brooklyn, together with report of the Comptroller (to whom this resolution was referred on November 13, 1908), recommending the issue as requested:

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of three hundred and forty dollars (\$340), the proceeds whereof shall be used for paying the expense of exhuming and reintering the bodies of seventeen veterans of the Civil War now buried in various scattered graves in the old Canarsie Cemetery, in the Borough of Brooklyn.

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

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

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.  
December 11, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In connection with the resolution adopted by the Board of Aldermen on October 20 and received from the Mayor on November 4 last, which resolution requested the Board of Estimate and Apportionment to authorize the Comptroller to issue Special Revenue Bonds to the amount of \$340, the proceeds of which is to pay the expense of exhuming the bodies of seventeen veterans of the Civil War now buried in scattered graves in an old Canarsie cemetery, and reintering them in another cemetery in the same vicinity, which resolution was referred to you on November 13, and by you referred to the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

These seventeen graves were pointed out to your Examiner, fourteen of which are marked with headstones, while accessible records, it is said, can be produced to authenticate the designation of the three unmarked graves.

It is proposed to disinter these remains and remove them with their respective headstones from the old, neglected and seemingly abandoned cemetery, where they now lie in scattered graves, place such remains, if necessary, in new coffins or individual boxes and reinter them in one long grave, side by side, in a plot owned by Ford Post No. 161, G. A. R., in the City owned cemetery at Canarsie.

It is therefore recommended that the amount requested be allowed.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted October 20, 1908, in relation to an appropriation of three hundred and forty dollars (\$340) for the expense of exhuming and reintering the bodies of seventeen veterans of the Civil War now buried in various scattered graves in the old Canarsie cemetery in the Borough of Brooklyn, under the direction of the Department of Public Charities, Borough of Brooklyn; and for the purpose of providing means therefor the Comptroller be and is hereby authorized, pursuant to the provisions of subdivision 8 of section 188 of the Charter, to issue Special Revenue Bonds of The City of New York to the amount of three hundred and forty dollars (\$340), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented a report of the Comptroller recommending an issue of \$720 Special Revenue Bonds to provide for the compensation of members of Defender Hose Company 1, of East Chester, Borough of The Bronx, for services rendered as volunteer firemen during the year ending September 30, 1908, pursuant to the provisions of chapter 686, Laws of 1899, as amended by chapter 613, Laws of 1900.

Which was laid over.

(On November 20, 1908, a communication from the Fire Commissioner certifying the names of members of said volunteer fire company entitled to compensation was referred to the Comptroller.)

The Secretary presented a report of the Comptroller referring to a resolution of the Board of Aldermen requesting an issue of \$2,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter), or as much thereof as may be required, for the purpose of paying the prevailing rate of wages to the Flaggers employed in the Department of Water Supply, Gas and Electricity, recommending that said resolution be not concurred in by the Board of Estimate and Apportionment, in view of the fact that provision has been made in the Budget for the year 1909 for this class of labor (at the rate of \$4.50 per diem), and that the amount required to pay the prevailing rate for the balance of the year 1908 to the one Flagger now employed in said Department is not sufficient to call for an issue of bonds.

Which was ordered on file and a copy sent to the Commissioner of Water Supply, Gas and Electricity.

(On November 13, 1908, the resolution of the Board of Aldermen, as above, was referred to the Comptroller.)

The Secretary presented the following report of the Comptroller, submitting resolutions relating to the establishment of time records as a basis for payroll audit, and the inclusion of a provision for trade and cash discounts in proposals for bids and contract specifications, on and after January 1, 1909, necessitated by the work of reorganizing the accounts of The City of New York, and stating that the matter of the standardization of supplies will be reported on at a later date.

(On October 9, 1908, a communication from the Bureau of Municipal Research submitting propositions as above was referred to the Comptroller.)

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.  
December 9, 1908.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—The necessity for the establishment of a proper time record as a basis for the audit of the weekly payrolls of the City and of those payrolls which are partly chargeable to Budget accounts, to Corporate Stock accounts or to other special and trust fund accounts, has become urgent in the progress of the work of reorganization of the accounts of The City of New York, which is being done by the expert accountants of the Department of Finance.

As a basis for economy in the purchase of supplies and in payments to contractors generally, I regard as important the introduction into contract forms and specifications of a provision which will permit the City to take advantage of trade and cash discounts where it is possible for the City promptly to pay claims.

The matter of the establishment of proper time sheet records and the inclusion of a provision in contracts for trade and cash discounts, together with the standardization of supplies purchased by the City, were referred to me by the Board of Estimate and Apportionment at its meeting of October 9, 1908, in connection with a communication to said Board on these and other matters submitted by the Bureau of Municipal Research.

I beg to submit at this time to the Board of Estimate and Apportionment the attached resolutions relating to the establishment of time records as a basis for payroll audit, and the inclusion of provision for trade and cash discounts in proposals for bids and contract specifications, and request the adoption of the same.

The matter of the standardization of supplies I have referred to the Bureau of Municipal Investigation and Statistics of the Department of Finance for special report, and will make the same the subject of a later communication.

Yours respectfully,

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That it is the sense of this Board that on and after January 1, 1909, all payrolls for Mechanics and Laborers who are employees of The City of New York, or the counties therein, paid on a per diem or weekly rate, and all payrolls for employees of The City of New York and the counties therein which are chargeable against more than one fund account, shall be based on a time record which shall be kept in the manner prescribed by the Comptroller and shall include:

(a) Daily time reports or time tickets showing the character, quantity or extent of work performed in sufficient detail to provide data for cost and expense records, and that these time reports and time tickets shall be signed and certified as to correctness by each Engineer, Clerk or other office employee or member of field force engaged in said work and not working in a gang, and verified and countersigned by the person in charge of said employees.

(b) Daily time sheets of all persons working in gangs paid upon said payrolls, said time sheets to be signed and certified as to correctness by the Foremen or persons in charge of the gangs.

(c) Time records to be kept in the departmental accounting office, which shall be posted from said daily time sheets and from which payrolls shall be prepared.

(d) Payrolls to be prepared by the person charged with keeping time records described in the preceding portion of this resolution, said payrolls to be certified by such person that the time thereon agree with the time records, and that such records are fully supported by time sheets or time tickets duly signed and certified as to the correctness thereof; and be it further

Resolved, That a copy of this resolution be transmitted by the Secretary of the Board of Estimate and Apportionment to the heads of the several Departments of the City and County governments.

Which was adopted by the following vote:

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

The following resolution was offered:

Resolved, That it is the sense of this Board that on and after January 1, 1909, proposals for all bids and all contracts chargeable against appropriations contained in the Budget for 1909, Corporate Stock or other accounts, be made on the basis of trade and cash discounts; that provision for trade and cash discounts be specifically set forth in all contracts approved as to form by the Corporation Counsel and certified by the Comptroller; that the quotations of trade discounts to the City in bids and in contracts be based on payment within thirty and sixty days after the goods are delivered and invoices are rendered, or within thirty and sixty days after the last day of the month during which goods are delivered and invoices are rendered in case of regular deliveries under contract; that cash discounts be based on payment within ten days after the delivery of goods with invoices attached, or within ten days after the end of the month during which goods are delivered with invoices attached in case of regular deliveries under contract; and be it further

Resolved, That a copy of this resolution be transmitted by the Secretary of the Board of Estimate and Apportionment to the heads of the several Departments of the City and County governments.

Which was adopted by the following vote:

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

The Secretary presented a report of the Comptroller referring to a communication from the Brooklyn Central Labor Union and a resolution of the Board of Aldermen requesting that the compensation of Drivers and Hostlers in the Department of Parks, Brooklyn and Queens, be equalized with that of similar positions in the Boroughs of Manhattan and The Bronx, and recommending, in view of the fact that no rate was specified by the Board in the Budget for the year 1909 at which these classes of labor should be paid, that the above requests be referred to the Commissioner of Parks, Brooklyn and Queens, for the exercise of his discretion in the matter.

Which was referred to the Commissioner of Parks, Brooklyn and Queens, in accordance with recommendation contained in report.

(At the meetings of September 18 and 25, 1908, respectively, the communication from the Brooklyn Central Labor Union and the resolution of the Board of Aldermen, as above, were referred to the Comptroller.)

The Secretary presented a report of the Comptroller recommending an issue of \$65,600 Special Revenue Bonds (subdivision 8, section 188 of the Charter), for the purpose of meeting deficits in the appropriation made to the Bellevue and Allied Hospitals for the year 1908.

Which was laid over.

(On November 13, 1908, a resolution of the Board of Aldermen requesting the above issue was referred to the Comptroller.)

The Secretary presented the following resolution of the Board of Aldermen requesting the issue of \$100,000 Special Revenue Bonds (subdivision 8 of section 188 of the Charter), for the maintenance and repair of streets in the Borough of Brooklyn; together with report of the Comptroller (to whom this resolution was referred on November 13, 1908), recommending the issue of \$25,000 Special Revenue Bonds to replenish the following accounts of the President, Borough of Brooklyn, for the year 1908:

Bureau of Highways.

Maintenance of Highways, Salaries and Wages.....	\$20,000 00
Maintenance of Highways, Hired Teams, Horses and Carts.....	5,000 00
	<u>\$25,000 00</u>

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of one hundred thousand dollars (\$100,000), the proceeds whereof to be used for the maintenance and repair of streets in the Borough of Brooklyn.

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

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

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a resolution adopted by the Board of Aldermen at its meeting of October 20, 1908, of which the following is a copy:

"Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of one hundred thousand dollars (\$100,000), the proceeds whereof to be used for the maintenance and repair of streets in the Borough of Brooklyn,"

—which was referred to the Comptroller and by you to the Bureau of Municipal Investigation and Statistics for examination, I beg to report as follows:

The proceeds of the sale of these bonds are to be applied, if obtained, to the accounts Salaries and Wages, and Hired Teams, Horses and Carts, in the Bureau of Highways in the office of the Borough President of Brooklyn.

On account of the unusual amount of work which was required upon the highways of Brooklyn during the Spring and Summer, more than the pro rata monthly payroll equal to one-twelfth of the annual appropriation was expended in those seasons, making it necessary in the latter part of the year to reduce the force in order to remain within the 1908 Budget allowance. The Chief Engineer of the Bureau of Highways reports, however, that many of the macadam roads are in need of repairs which will put them in shape for the winter and that a reasonable supplement to the appropriation will be wise economy. It is therefore recommended that the Board of Estimate and Apportionment approve of the resolution of the Board of Aldermen, as hereinbefore quoted, to the extent of an issue of \$25,000 in Special Revenue Bonds.

Respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. Metz, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted October 20, 1908, requesting an issue of Special Revenue Bonds in the sum of one hundred thousand dollars (\$100,000) the proceeds whereof to be applied to the maintenance and repair of streets in the Borough of Brooklyn, to the extent of twenty-five thousand dollars (\$25,000), to be applied to the replenishment of accounts within the appropriation made to the President of the Borough of Brooklyn, for the year 1908, as follows:

Bureau of Highways.

Maintenance of Highways, Salaries and Wages.....	\$20,000 00
Maintenance of Highways, Hired Teams, Horses and Carts.....	5,000 00
	<hr/>
	\$25,000 00

—and for the purpose of providing means therefor, the Comptroller be and he is hereby authorized, pursuant to the provisions of subdivision 8, section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York, to the amount of twenty-five thousand dollars (\$25,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

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

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

B. By transferring the amount set opposite the item contained therein, entitled "7. For the construction of an additional dormitory for the use of Department employees, \$10,000;" to the item entitled "9. For the construction of and equipping, permanently bettering and improving buildings and pavilions used in connection with the sanatorium for tuberculosis at Otisville, Orange County, New York, \$22,000."

—together with report of the Comptroller (to whom this matter was referred on November 6, 1908), recommending the amendment of said resolution of September 14, 1908, as follows:

By striking therefrom items 5 and 7, which read:

"5. For the construction and equipment of a dormitory for the use of the Department employees, \$10,000."

"7. For the construction of an additional dormitory for the use of the Department employees, \$10,000,"

—and by substituting \$42,000 in place of \$22,000, set opposite item 9, which reads:

"9. For the construction of and equipping, permanently bettering and improving buildings and pavilions used in connection with the Sanatorium for Tuberculosis at Otisville, Orange County, N. Y., \$22,000."

DEPARTMENT OF HEALTH,  
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,  
NEW YORK, October 29, 1908.

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

SIR—At a meeting of the Board of Health of the Department of Health, held October 28, 1908, the following resolution was adopted:

Resolved, That the Board of Estimate and Apportionment be and is hereby requested to change the title of the issue of \$10,000 of Corporate Stock authorized on September 14, 1906, entitled "Department of Health Sites and Buildings for Sanatorium for Tuberculosis, Otisville, Orange County, N. Y.," sub-title No. 5, "For the Construction and Equipment of a Dormitory for the use of Department Employees" to the title "For Living Quarters for Administrative Officers."

Also the transfer of the sum of \$10,000 from the same issue of Corporate Stock under sub-title No. 7, "For the Construction of an Additional Dormitory for the use of Department Employees," to be added to the Corporate Stock issue of \$22,000 under sub-title No. 9, "For the Construction of and Equipping, Permanently Bettering and Improving Buildings and Pavilions Used in Connection with the Sanatorium for Tuberculosis at Otisville, Orange County, N. Y."

EUGENE W. SCHEFFER, Secretary.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 9, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—The Board of Health of the Department of Health, by resolution adopted October 28, 1908, requests the Board of Estimate and Apportionment "to change the title of the issue of \$10,000 of Corporate Stock authorized on September 14, 1906, entitled 'Department of Health Sites and Buildings for Sanatorium for Tuberculosis, Otisville, Orange County, N. Y.,' sub-title No. 5, 'For the Construction and Equipment of a Dormitory for the use of Department Employees' to the title 'For Living Quarters for Administrative Officers.'" Request is also made for "the transfer of the sum of \$10,000, from the same issue of Corporate Stock under sub-title No. 7, 'For the Construction of an Additional Dormitory for the use of Department Employees,' to be added to the Corporate Stock issue of \$22,000 under sub-title No. 9, 'For the Construction of and Equipping, Permanently Bettering and Improving Buildings and Pavilions Used in Connection with the Sanatorium for Tuberculosis at Otisville, Orange County, N. Y.'"

I would report that the quarters already provided are all that is necessary for the accommodation of the employees which it is at present found necessary to have reside at the Sanatorium.

The two buildings provided for by items 5 and 7 of the resolution of the Board of Estimate and Apportionment adopted October 28, 1908, authorizing \$20,000 for the construction and equipment of two dormitories for the use of the Department employees are therefore not needed.

There is, however, need for the expenditure of \$10,000 for residence building for Physicians, Nurses, Superintendent and for transient officials who are obliged to remain for a short time at the Sanatorium while transacting official business connected therewith.

There is also need for a present expenditure of \$10,000 for general construction and alteration purposes, namely, for the remodeling of certain old buildings in order that one section of the Sanatorium farm may be devoted to female patients. Up to the present time no female patients have been received.

To meet the necessities above set forth, I would advise that the resolution adopted September 14, 1906, by the Board of Estimate and Apportionment, approving the issue of Corporate Stock to the amount of \$225,000, for the erection of buildings and for the improving, permanently bettering and equipping property purchased for the use of a tuberculosis sanatorium located in the Town of Mount Hope, Orange County, State of New York, be amended, as follows:

By striking therefrom items 5 and 7, which read as follows:

5. For the construction and equipment of a dormitory for the use of Department employees, \$10,000.

7. For the construction of an additional dormitory for the use of Department employees, \$10,000.

In item 9, which reads as follows:

9. For the construction of and equipping, permanently bettering and improving buildings and pavilions used in connection with the sanatorium for tuberculosis at Otisville, Orange County, N. Y., \$22,000.

—by substituting \$42,000 in place of \$22,000.

Respectfully,

CHANDLER WITHINGTON, Chief Engineer.

Approved:

H. A. Metz, Comptroller.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment September 14, 1906, authorizing the issue of Corporate Stock, pursuant to the provisions of section 47 of the Greater New York Charter, as amended, in the sum of two hundred and twenty-five thousand dollars (\$225,000), for the purpose of providing means for the erection of buildings and for improving, permanently bettering and equipping property purchased for the use of tuberculosis sanatorium located in the town of Mount Hope, Orange County, State of New York, be and the same is hereby amended by striking therefrom the items 5 and 7, which read as follows:

"5. For the construction and equipment of a dormitory for the use of the Department employees, \$10,000.

"7. For the construction of an additional dormitory for the use of the Department employees, \$10,000."

—and by substituting the figures \$42,000 for the figures "\$22,000," set opposite item 9, which reads as follows:

"9. For the construction of and equipping, permanently bettering and improving buildings and pavilions used in connection with the sanatorium for tuberculosis at Otisville, Orange County, N. Y., \$22,000."

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Department of Health relative to amending its request for authority to purchase or award contract, pursuant to the provisions of a resolution adopted December 6, 1907, for furnishing the necessary labor and material required to install plumbing and heating apparatus in the dining hall, dormitory, Nurses' home and in several other buildings at the Sanatorium in Otisville, Town of Mount Hope, Orange County, N. Y., at a cost of \$5,000, by striking therefrom the figures \$5,000 and inserting in place thereof the figures \$7,500; together with report of the Comptroller (to whom this matter was referred on November 6, 1908), recommending the amendment, as requested.

DEPARTMENT OF HEALTH,  
CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,  
NEW YORK, November 2, 1908.

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

SIR—At a meeting of the Board of Health of the Department of Health, held October 28, 1908, the following preamble and resolution were adopted:

Whereas, An error was made in the amount requested to be released from the provisions of a certain resolution adopted by the Board of Estimate and Apportionment December 6, 1907, in and by which said resolution the bureaus and divisions of the City government were directed until further notice not to incur any new or additional indebtedness payable from the funds provided by the issue of Corporate Stock heretofore authorized, without the approval of the said Board of Estimate and Apportionment, in so far as said resolution referred to the purchase or awarding of contracts for furnishing the necessary labor and material required to install plumbing and heating apparatus in the dining hall, dormitory, Nurses' home and several other buildings at the Sanatorium for the Care and Treatment of Persons Living in The City of New York suffering with tuberculosis, located at Otisville, Town of Mount Hope, Orange County, N. Y., at a cost not exceeding \$5,000, in a certain resolution adopted by this Board at a meeting held October 14, 1908; be it

Resolved, That the Board of Health of the Department of Health of The City of New York hereby requests the Board of Estimate and Apportionment to release the said Board of Health from the provisions of a certain resolution adopted by the said Board of Estimate and Apportionment December 6, 1907, in and by which said resolution the bureaus and divisions of the City government were directed, until further notice, not to incur any new or additional indebtedness payable from the funds provided by the issue of Corporate Stock heretofore authorized without the approval of the said Board of Estimate and Apportionment, in so far as said resolution may refer to the purchase or awarding of contracts for furnishing the necessary labor and material required to install plumbing and heating apparatus in the dining

hall, dormitory, Nurses' home and several other buildings at the Sanatorium for the Care and Treatment of Persons Living in The City of New York suffering with tuberculosis, located at Otisville, Town of Mount Hope, Orange County, N. Y., at a cost not exceeding seven thousand five hundred dollars (\$7,500).

EUGENE W. SCHEFFER, Secretary.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 1, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In communication dated November 2, 1908, the Board of Health of the Department of Health requests the Board of Estimate and Apportionment to release it from the provisions of resolution adopted by the Board of Estimate and Apportionment of December 6, 1907, directing the bureaus and divisions of the City government not to incur any new or additional indebtedness payable from the funds provided by the issue of Corporate Stock heretofore authorized without the approval of the said Board of Estimate and Apportionment, in so far as said resolution may refer to the necessary labor and material required to install plumbing and heating apparatus in the dining hall, dormitory, Nurses' home and several other buildings at the Sanatorium for the Care and Treatment of Persons Living in The City of New York suffering with tuberculosis, located at Otisville, Town of Mount Hope, Orange County, N. Y., at a cost not exceeding \$7,500.

I would report that by resolution of October 30, 1908, the Board of Estimate and Apportionment, pursuant to request of the Board of Health, released the above work from the provisions of the resolution of December 6, 1907, at a cost not to exceed \$5,000.

The lowest bids received for the proposed work show that the estimated cost of \$5,000 was in error and that the cost will be approximately \$7,500.

As the proposed plumbing work is necessary and economically designed, I would advise that the resolution of the Board of Estimate and Apportionment adopted October 30, 1908, and referred to above, be amended by striking therefrom the figures \$5,000 and inserting the figures \$7,500.

Respectfully,

CHANDLER WITHINGTON, Chief Engineer.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment October 30, 1908, and which reads as follows:

Whereas, The Board of Estimate and Apportionment at a meeting held December 6, 1907, adopted a resolution directing all heads of departments, etc., not to incur any new or additional indebtedness payable from funds provided by the issue of Corporate Stock heretofore authorized, without the further approval of this Board.

Resolved, That the requests of the Board of Health for authority to proceed with the following work be and the same are hereby approved:

For the purchase, or award of contracts to furnish timber, lumber, moulding, etc., for the general purposes of construction and repairs at the Sanatorium for the care and treatment of persons, living in The City of New York, suffering with tuberculosis, located at Otisville, Town of Mount Hope, Orange County, N. Y., at a cost not exceeding \$5,000.

For the purchase, or award of contracts to furnish necessary labor and material required to install plumbing and heating apparatus in the dining hall, dormitory, Nurses' home and several other buildings at the Sanatorium (for the care and treatment of persons, living in The City of New York, suffering with tuberculosis), located at Otisville, Town of Mount Hope, Orange County, N. Y., at a cost not exceeding \$5,000.

—be and the same is hereby amended, by striking therefrom the figures "\$5,000" set opposite the second item contained therein and inserting in place thereof the figures \$7,500.

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Fire Department, requesting authority, pursuant to the provisions of a resolution adopted December 6, 1907, to advertise for proposals and award contract for general repairs and alterations to quarters of Hook and Ladder Company 18, at No. 84 Attorney street, Manhattan, and that the cost of said repairs, estimated at \$3,000, be charged against the issue of Corporate Stock authorized on June 7, 1907, in the sum of \$1,000,000, for the acquisition of sites, erection of buildings thereon and for additions and alterations to existing buildings, in the Boroughs of Manhattan, The Bronx, Brooklyn and Queens, together with report of the Comptroller (to whom this matter was referred on November 6, 1908), stating that the proceeds of two bond issues have already been expended upon said building, and in view of the inadvisability of doing any further work upon it from the proceeds of the sale of bonds, recommends that the request be denied, and that the Fire Commissioner be advised to pay for such repairs out of the Budget account entitled Repairs and Supplies, or to apply to the Board of Aldermen for an issue of Special Revenue Bonds to provide means therefor:

FIRE DEPARTMENT—CITY OF NEW YORK,  
No. 157 AND 159 EAST SIXTY-SEVENTH STREET,  
BOROUGH OF MANHATTAN, October 31, 1908.

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

SIR—I have the honor to request authority to advertise for proposals and award contract for general repairs and alterations to quarters of Hook and Ladder Company 18, situated at No. 84 Attorney street, Borough of Manhattan. These repairs and alterations are required by reason of the change of grade in the street due to the construction of the subway loop, and must be made without delay; otherwise the company will be forced out of service.

I also request authority to apply a portion of the bond issue of Corporate Stock authorized by the Board of Estimate and Apportionment June 7, 1907, and concurred in by the Board of Aldermen June 23, 1907, in payment of the expenditure, which will be about three thousand dollars, there being no other funds that can be used for the purpose.

Respectfully,

NICHOLAS J. HAYES, Fire Commissioner.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 9, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Under date of October 31, 1908, the Hon. N. J. Hayes, Fire Commissioner, asks the Board of Estimate and Apportionment for authority to apply a portion of a bond issue authorized by the Board on June 7, 1907, for new sites and buildings for the Fire Department for the purpose of defraying the expense of making repairs and alterations to quarters of Hook and Ladder Company 18, No. 84 Attorney street, in the Borough of Manhattan; I would report:

Some modification of the present building is necessary owing to the change of grade incident to the new construction work in Delancey street at the entrance of the Williamsburg Bridge.

It will be recalled that in addition to the original bond issue for the erection of this building, there was another use of the proceeds of bond issue in re constructing the building to meet a change of grade of the street due to the construction of the bridge approach in Delancey street.

In view therefore of proceeds of two bond issues having already been expended upon this building, I doubt the advisability of doing any further work upon it from the proceeds of the sale of bonds.

I therefore recommend that the request of the Fire Commissioner be denied and that he be advised to make such repairs out of the Budget account entitled Repairs and Supplies, or be advised to apply to the Board of Aldermen for an issue of Special Revenue Bonds, pursuant to subdivision 8 of section 188 of the Greater New York Charter, to provide means for this work.

Respectfully,

CHANDLER WITHINGTON, Chief Engineer.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the request of the Fire Department for authority, pursuant to resolution adopted December 6, 1907, to advertise for proposals and award contract for general repairs and alterations to quarters of the Hook and Ladder Company 18, at No. 84 Attorney street, Manhattan, at an estimated cost of \$3,000, to be charged to the bond issue authorized June 7, 1907, for new buildings, etc., be and the same is hereby denied.

Which was adopted by the following vote:

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

The Secretary was directed to send a copy of said report to the Fire Commissioner for his information.

The Secretary presented the following communication from the Secretary, Board of Trustees, Bellevue and Allied Hospitals, requesting the rescission of resolution adopted by the Board of Estimate and Apportionment October 30, 1908, which authorized the transfer of \$9,000 from the appropriation made for Salaries and Wages, Fordham Hospital, for the year 1908, to the appropriation made for the accounts entitled Supplies, Mechanical, Buildings and Grounds (\$6,000), and Stable and Ambulances (\$3,000), together with report of the Comptroller, to whom this matter was referred on November 20, 1908, recommending the rescission of the resolution as requested:

BELLEVUE AND ALLIED HOSPITALS,  
FIRST AVENUE AND TWENTY-SIXTH STREET,  
NEW YORK, November 12, 1908.

Hon. JOSEPH HAAG, Secretary, Board of Estimate and Apportionment, Room 1406, No. 277 Broadway, New York City:

DEAR SIR—The Board of Trustees of Bellevue and Allied Hospitals begs to request that the Board of Estimate and Apportionment rescind the resolution adopted by it on October 30, 1908, transferring \$9,000 from the appropriation entitled Salaries and Wages, Fordham Hospital, to the appropriation entitled Supplies, Mechanical, Buildings and Grounds (\$6,000), and Stable and Ambulances (\$3,000).

The request of the Board of Trustees dated October 20 for certain transfers makes the above resolution unnecessary, and the Trustees hope that prompt action will be taken on the latter request so that the bills of the various contractors may be paid.

Yours very truly,

J. K. PAULDING, Secretary, Board of Trustees.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 14, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In regard to the request of the Trustees of Bellevue and Allied Hospitals, dated November 20, 1908, asking the Board of Estimate and Apportionment to rescind its resolution of October 30, 1908, transferring the sum of \$9,000 from the appropriation entitled Salaries and Wages, Fordham Hospital, to the appropriations entitled Supplies, Mechanical, Buildings and Grounds (\$6,000), and Stable and Ambulances (\$3,000), referred to the Comptroller, and by you to this Bureau for examination, I beg to report as follows:

This request is made for the reason that transfers asked for in a request dated October 20, 1908, made under the impression that the resolution of October 30 would not be passed, will render said resolution not only unnecessary but conflicting. It is therefore recommended that the request be granted and that the resolution be rescinded.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment October 30, 1908, which reads as follows:

"Resolved, That the sum of nine thousand dollars (\$9,000) be and the same is hereby transferred from the appropriation made to Bellevue and Allied Hospitals for the year 1908, entitled Salaries and Wages, Fordham Hospital, the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said Bellevue and Allied Hospitals for the year 1908, entitled and as follows:

Supplies, Mechanical, Buildings and Grounds.....	\$6,000 00
Stable and Ambulances.....	3,000 00
	<hr/> \$9,000 00

—the amounts of said appropriation being insufficient."

—be and the same is hereby rescinded.

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Board of Water Supply requesting the purchase at \$50 of Parcel 325, Section 8, Ashokan Reservoir, containing a little over a quarter of an acre of land; together with a report of the Comptroller, to whom this matter was referred on December 4, 1908, recommending the purchase of said property:

BOARD OF WATER SUPPLY,  
No. 299 BROADWAY,  
NEW YORK, November 23, 1908.

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

GENTLEMEN—We inclose herewith copy of report made by Commissioner Chadwick, dated November 2, 1908, recommending the purchase for \$50 of Parcel 325, Section 8, Ashokan Reservoir.

At the meeting of this Board held November 19, 1908, this recommendation was approved, and the following resolution was adopted:

Resolved, That the Board of Water Supply, pursuant to the recommendation of Commissioner Chadwick and in accordance with chapter 724 of the Laws of 1905, as amended, and subject to the approval of the Board of Estimate and Apportionment, hereby approves the purchase from Mrs. Mahaly Hinkley for fifty dollars (\$50) cash of Parcel 325, Section 8, Ashokan Reservoir, containing a little over a quarter of an acre; and that when and if said purchase shall be approved by the Board of Estimate and Apportionment, the Corporation Counsel is hereby requested to prepare all necessary agreements and other instruments for the signatures of the Board of Water Supply and to take such other steps and proceedings as may be necessary and proper.

We respectfully request the approval of this purchase by your Board.

Respectfully yours,

BOARD OF WATER SUPPLY,

Per THOS. HASSETT, Secretary.

NEW YORK, November 2, 1908.

The Board of Water Supply, No. 299 Broadway, New York City:

GENTLEMEN—Parcel No. 325, Section 8, Reservoir Department has been offered by the owner, Mrs. Mahaly Hinkley, to the City at private sale for the sum of \$50. This is a small triangular piece of land about one mile from the village of West Shokan, and contains a little over a quarter of an acre.

I have investigated this proposed purchase, and am satisfied that it would be to the interest of the City to buy at private sale, and I therefore recommend the adoption of a resolution authorizing the purchase of this parcel at private sale at the sum of \$50.

Yours very truly,

(Signed) CHARLES N. CHADWICK, Commissioner.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 10, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—At a meeting of the Board of Estimate and Apportionment held December 4, 1908, a communication was presented from the Board of Water Supply, requesting the approval of the purchase at \$50 of Parcel No. 325, Section 8, Ashokan Reservoir, containing a little over a quarter of an acre of land, which was referred to this office for consideration and report.

The law under which the Board of Water Supply is acquiring property requires that the City shall pay all the expenses of the acquisition of the land, which expenses include the owners' expenses. That being the case, public policy requires that the City should accept this offer.

The Corporation Counsel in charge of the proceedings states that in his opinion the acquisition of this property at the price mentioned will not establish a value against the City in the proceedings, and that it is to the City's advantage to acquire the same.

Respectfully submitted,

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

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment, pursuant to the provisions of chapter 724, Laws of 1905, as amended, hereby approves of the action taken by the Board of Water Supply relative to the acquisition of Parcel No. 325, Section 8, Ashokan Reservoir, containing a little over a quarter of an acre of land, and authorizes the purchase thereof for the sum of fifty dollars (\$50).

Which was adopted by the following vote:

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

The Secretary presented the following communication from the General Clerk, Supreme Court, Kings County, relative to an issue of \$1,500. Special Revenue Bonds to meet a deficiency in the Salary Account for the year 1908 (referred to the Comptroller on December 4, 1908); resolution of the Board of Aldermen requesting said issue (referred to the Comptroller on December 11, 1908), and report of the Comptroller recommending the issue of \$150 Special Revenue Bonds, pursuant to subdivision 8 of section 188 of the Charter, for this purpose:

SUPREME COURT OF THE STATE OF NEW YORK,  
BROOKLYN, N. Y., November 25, 1908.

Board of Estimate and Apportionment, City of New York:

GENTLEMEN—Owing to the appointment of Justice Blackmar to fill the vacancy caused by the election of Justice Willard Bartlett to the Court of Appeals, and a Clerk appointed by said Justice Blackmar, a deficiency in the Salaries Account of the Supreme Court, Kings County, of \$1,500, will exist in December, 1908.

An issue of Special Revenue Bonds is therefore required to cover this deficiency.

Respectfully,

J. F. McGEE, General Clerk.

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of fifteen hundred dollars (\$1,500), the proceeds whereof to be used for the purpose of covering a deficiency in the Salaries Account of the Supreme Court, Kings County, for the year 1908.

Unanimously adopted by the Board of Aldermen December 1, 1908, three-fourths of all the members voting in favor thereof, having been first advertised as required by law.

Approved by the Mayor December 8, 1908.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a resolution of the Board of Aldermen adopted December 1, 1908, as follows:

"Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it is hereby requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of fifteen hundred dollars (\$1,500), the proceeds whereof to be used for the purpose of covering a deficiency in the Salaries account of the Supreme Court, Kings County, for the year 1908."

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

The Budget appropriation for 1908 for Salaries for the Supreme Court, Second Department, Kings County, was \$335,800; against this appropriation there had been charged up to November 30, 1908, the sum of \$310,528.01, and the total expenditure for the year based upon the present payroll will approximate \$338,808, indicating a deficit of \$3,008. This deficit has been partly provided for by the transfer of \$2,860 from various other accounts to salary account, still leaving a deficiency of about \$148 for which provision should be made.

The deficit in the salary account is due to the fact that no provision was made in the 1908 Budget for the salary of Justice Blackmar, appointed January 18, 1908, to fill a vacancy caused by the election of Justice Bartlett to the Court of Appeals, or for the salary of a Clerk appointed by Justice Blackmar in pursuance of the provisions of section 97 of the Code. The increased cost caused by said appointments has been met to some extent by payroll reductions due to deaths among the attaches of the Court during the year.

In view of the facts stated herein, I would respectfully recommend that the resolution requesting an issue of Special Revenue Bonds to the amount of \$1,500 be concurred in to the extent of \$150, as per resolution attached hereto.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted December 1, 1908, and approved by the Mayor December 8, 1908, requesting an issue of Special Revenue Bonds in the sum of \$1,500 to provide for a deficiency in the appropriation made for the year 1908, entitled Salaries, Supreme Court, Second Department, Kings County, to the extent of \$150; and for the purpose of providing means therefor, the Comptroller be and he is hereby authorized, pursuant to the provisions of subdivision 8 of section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York to the amount of one hundred and fifty dollars (\$150), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented the following resolution of the Board of Aldermen requesting an issue of \$7,000 Special Revenue Bonds (subdivision 8 of section 188 of the Charter) to meet a deficiency in the appropriation made to the Sheriff, Kings County, for the Maintenance of Kings County Jail, Civil Prison and Transportation Plant, for the year 1908, together with report of the Comptroller, to whom this matter was referred on November 20, 1908, recommending the issue as requested:

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and it hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of seven thousand dollars (\$7,000), the proceeds whereof to be used by the Sheriff of Kings County for the purpose of paying for the maintenance of the County Jail, the Civil Prison and transportation plant.

Adopted by the Board of Aldermen October 27, 1908, three-fourths of all the members voting in favor thereof.

Received from his Honor the Mayor November 10, 1908, without his approval or disapproval thereof; therefore, as provided in section 40 of the Greater New York Charter, the same took effect as if he had approved it.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 8, 1908.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—I return herewith a resolution adopted by the Board of Aldermen on October 27, 1908, requesting the issue of \$7,000 Special Revenue Bonds for the maintenance of the County Jail, the Civil Prison and transportation plant, under the jurisdiction of the Sheriff of Kings County, together with a report of the Bureau of Municipal Investigation and Statistics of this Department relative to said matter; and in view of the statements made in such report respectfully recommend the adoption of the resolution hereunto attached.

Respectfully,

H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 8, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a resolution adopted by the Board of Aldermen on October 27, 1908, relative to an additional appropriation of \$7,000 for the use of the Sheriff of Kings County for the maintenance of the County Jail, the Civil Prison and transportation plant; I beg to submit the following report:

Owing to the fact that chapter 637 of the Laws of 1907 transferred all buildings used as jails in the County of Kings from the jurisdiction of the Sheriff to that of the Commissioner of Correction, no provision was made in the Budget for 1908 for the maintenance of the County Jail and Civil Prison of Kings County, or maintenance of said transportation plant.

In a report under date of January 9, 1908, your Examiner recommended that the Board of Estimate and Apportionment authorize the Comptroller to issue Special Revenue Bonds to an amount not to exceed \$34,000 for the use of the Sheriff of Kings County, \$5,000 of which was to be used for the maintenance of the County Jail, Civil Prison and transportation plant; and by resolution adopted by the said Board on January 10, 1908, the sum of \$5,000 was appropriated for said purpose.

From memoranda furnished your Examiner by the Sheriff's representatives it appears that the actual amount of bills rendered for such maintenance up to October 31, 1908, exclusive of board of prisoners, is \$8,040.82, made up as follows:

Forage, ten months (twelve horses).....	\$3,659 23	
Horseshoeing, ten months.....	823 86	
Repairs to vans, ten months.....	500 35	
Veterinary services, ten months.....	342 05	
Repairs to harness, ten months.....	193 60	
Transportation of prisoners, ten months.....	569 64	
		\$6,088 73
Telephone service, eight months.....	\$980 64	
Horses purchased (two).....	700 00	
Horse hire .....	46 00	
Handcuffs .....	223 20	
Ice .....	2 25	
		1,952 09
Total.....		\$8,040 82

Based on the preceding table of actual expenditures, the probable cost of such maintenance for the year 1908, will be as follows:

Forage, horseshoeing, veterinary services, repairs to vans and harness and transportation of prisoners for two months at \$608.87 per month.....	\$1,217 74
Telephone service for four months, at \$122.58 per month.....	490 32
Additional handcuffs needed as per Sheriff's estimate of cost .....	100 00
	\$1,808 06
Actual expenditures to October 31, 1908.....	8,040 82
Total estimated cost for 1908.....	\$9,848 88

To this estimated cost of maintenance must be added the cost of board of the civil prisoners committed to the custody of the Sheriff during 1908, said prisoners, owing to the delay in altering the premises at No. 113 Schermerhorn street, Borough of Brooklyn, leased for a County Jail and Civil Prison, having been confined in the former Kings County Jail, located on Raymond street, in said Borough, now under the jurisdiction of the Commissioner of Correction, and the cost of meals furnished for the Sheriff's staff guarding said prisoners.

From the memoranda submitted by the Sheriff's representatives it appears that bills have been rendered to the Sheriff by the Commissioner of Correction for such board as follows:

January 1 to March 31, 1908.....	\$491 75
April 1 to June 30, 1908.....	573 50
July 1 to September 30, 1908.....	681 25

Total for nine months..... \$1,746 50

Adding to this account the estimated expenses from October 1 to the end of the current year on the basis of the period from July 1 to September 30, namely, \$681.25, the total is.....	\$2,327 75
Which, added to the previous estimate.....	9,848 88

Gives a grand total of..... \$12,176 63

Deducting therefrom the amount already allowed..... 5,000 00

Makes the estimated requirements for the balance of the year..... \$7,176 63

The amount requested by the Board of Aldermen, namely, \$7,000 to provide for the deficiency in said account would therefore appear to be no more than is necessary for said purpose. It is, to be noted that of the amount appropriated by the Board of Estimate and Apportionment on January 10, 1908, for salaries of additional employees in the Sheriff's office and County Jail, namely, \$29,000, there will be a balance on December 31, 1908, of at least \$7,000, occasioned by the fact that the Sheriff has not appointed all the employees he was entitled to under said appropriation. In view of the preceding statement your Examiner respectfully recommends that the said request be granted.

In view, however, of the amount shown to have been expended by the Sheriff for forage for an average of twelve horses during the first ten months of the present year, namely, \$3,659.23, or an average of slightly over \$30 per month per horse, your Examiner respectfully suggests that the Sheriff arrange for the boarding of said horses during the year 1909, and thus reduce the expense of this item to a more economical basis.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted October 27, 1908, in relation to an appropriation of seven thousand dollars (\$7,000), to provide for a deficiency in the appropriation made for the Sheriff of Kings County for the maintenance of the County Jail, Civil Prison and transportation plant during the year 1908, and for the purpose of providing means therefor, the Comptroller be and he is hereby authorized, pursuant to the provisions of subdivision 8, section 188 of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York, to the amount of seven thousand dollars (\$7,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented the following resolution of the Board of Aldermen, requesting an issue of \$1,000 Special Revenue Bonds (subdivision 8 of section 188 of the Charter), to provide for a deficiency in the appropriation made to Sheriff of Kings County for 1908 for Supplies and Contingencies, together with report of the Comptroller, to whom this resolution was referred on November 13, 1908, recommending the issue as requested:

In the Board of Aldermen.

Resolved, That, in pursuance of the provisions of subdivision 8 of section 188 of the Greater New York Charter, the Board of Estimate and Apportionment be and hereby is requested to authorize the Comptroller to issue Special Revenue Bonds to the amount of one thousand dollars (\$1,000), the proceeds whereof to be used to augment the appropriation entitled Supplies and Contingencies of the Sheriff of Kings County for the year 1908.

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

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

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
November 30, 1908.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—I return herewith resolution adopted by the Board of Aldermen on October 20, 1908, relative to an issue of \$1,000 Special Revenue Bonds to replenish the Supplies and Contingencies account made for the Sheriff of Kings County for the year 1908, together with a report of the Bureau of Municipal Investigation and Statistics of this Department on said matter; and in view of the statements made in such report respectfully recommend the adoption of the resolution hereunto attached.

Respectfully,

H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE, CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
November 30, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a resolution adopted by the Board of Aldermen on October 20, 1908, requesting the Board of Estimate and Apportionment to authorize the issue of Special Revenue Bonds to the amount of \$1,000 "to augment the appropriation entitled Supplies and Contingencies of the Sheriff of Kings County for the year 1908," I beg to submit the following report:

The Budget allowance for 1908 made to the Sheriff of Kings County for Supplies and Contingencies was \$1,000, against which fund appear on the books of the Department of Finance disbursements to the amount of \$915.90, the last item of which is dated July 15, 1908. The Sheriff's representative has furnished your Examiner with the several items covered by these disbursements, and with memoranda showing the outstanding liabilities, exclusive of carfares, as of November 1, 1908, as follows:

	Bills Paid to Nov. 1, 1908.	Unpaid Bills Nov. 1, 1908.
Stationery and postage .....	\$140 48	\$55 44
Badges .....	42 25	.....
Legislative services .....	150 00	.....
Typewriter .....	77 50	.....
Telephone charges .....	42 25	42 00
Spring water .....	31 15	30 00
Carfares .....	365 90	.....
Installing electrical work.....	27 37	.....
Repairs .....	15 00	1 90
Law books and sundry expenses .....	24 00	.....
Electric fan .....	.....	14 58
	\$915 90	\$143 92
Add paid bills .....		915 90
Total .....		\$1,059 82

The Sheriff's representative states that in addition to the sum previously noted there is due to the Deputy Sheriffs and Assistant Deputy Sheriffs attached to said office a large amount for carfares, the item of \$365.90 in the preceding table covering only such expenditures for the first three months of 1908. He further states that his estimate of such expenditures up to December 31, 1908, amounts to an additional \$1,200. This apparently large expenditure for carfares is explained by the greatly increased number of papers served by the said officials over the number handled in previous years, and the wide extent of territory covered. The Budget allowance for said account of Supplies and Contingencies for the year 1909 is \$2,500.

In view of the previous statements your Examiner respectfully recommends that the said additional appropriation of \$1,000 for 1908 be granted.

Respectfully yours,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen adopted October 20, 1908, in relation to an appropriation of one thousand dollars (\$1,000) to provide for a deficiency in the appropriation made for the Sheriff of Kings County for the year 1908, entitled Supplies and Contingencies, and for the purpose of providing means therefor, the Comptroller be and he is hereby authorized, pursuant to the provisions of subdivision 8, section 188, of the Greater New York Charter, to issue Special Revenue Bonds of The City of New York to the amount of one thousand dollars (\$1,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented a report of the Select Committee, consisting of the Comptroller, the President, Borough of Manhattan, and the Corporation Counsel, relative to separating the grades at Fifth avenue and Forty-second street, Manhattan.

(On October 2, 1908, the matter was referred to a Select Committee, consisting of the Comptroller, the Chief Engineer of the Board and Chief Engineer of Street Openings, Borough of Manhattan.

On November 20, 1908, the report of said Committee, submitting plans for an undercrossing at Forty-second street, recommending an issue of \$250,000 Corporate Stock for this purpose, and further recommending that the President, Borough of Manhattan, be requested to prepare plans and contract drawings, submitting a proposed amendment to the ordinance relative to Fifth avenue sidewalks, also an ordinance relative to Forty-second street sidewalks—was referred to the Select Committee, consisting of the Comptroller, the President, Borough of Manhattan, and the Corporation Counsel, to report at the meeting of December 4, 1908.

On December 4, 1908, and again on December 11, 1908, the above Committee was granted an extension of time to December 11 and 18, 1908, respectively, in which to present its report to the Board.)

The proceedings of the Board in the above matter appear in the public improvements minutes of this date.

The Secretary presented the following communication from the President of the Borough of Brooklyn requesting an issue of \$45,000 Corporate Stock for the preparation of land for a public market in the Eighth Ward, Borough of Brooklyn, together with report of the Comptroller, to whom this matter was referred on December 4, 1908, recommending the issue as requested:

CITY OF NEW YORK,  
OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN,  
November 30, 1908.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—In a communication dated June 6, 1906, the Board was requested to authorize an issue of Corporate Stock to the amount of \$2,000,000 for the purpose of constructing what is known as the Eighth Ward Public Market, to be located near the foot of Thirty-sixth street, in this Borough, and under a resolution of the Board passed at the subsequent meeting of June 22, on the motion of the Comptroller, an appropriation of \$200,000 of Corporate Stock, or 10 per cent. of the amount required, was allowed for the purpose stated.

This Eighth Ward Market Improvement was undertaken by the City under the previous administration, although no plans had been prepared when I took office. The improvement involved in the first place the bulkheading and reclaiming of more than 13 acres out of the plot of 15 acres acquired by the City for the market in 1905 at a cost of approximately \$800,000.

With the appropriation allowed for the improvement of this market site by the Board in the summer of 1906 I have proceeded with contract work on designs presented to the Board in the original application, and at the present time about 8½ acres have been reclaimed by filling with selected material up to a surface near the finished street grades, and furthermore bulkheading and concrete sea wall of substantial type surrounding the entire property acquired and providing for pier connections, transfer car floats, etc., has been nearly completed at the present time, but the available funds are so nearly exhausted that the land reclaimed and the protection works constructed must be abandoned unless a further appropriation is allowed.

On July 1, 1907, I petitioned the Board for a further allowance of \$500,000 on account of this undertaking, but since reference of this matter to the Comptroller no report has been presented, to my knowledge.

The condition with which I am confronted is such that to insure the proper protection of the work already completed and to provide for the continuation of the bulkhead and sea wall for a distance of nearly 300 feet, which is a necessary extension to be built in meeting the amended plans of the Department of Docks so as to join the bulkhead of the Eighth Ward Market with the improvements provided for in the adopted plan of the Dock Department, as well as to provide for additional depths and quantities of crib work already built, which was made necessary by unforeseen contingencies in dredging operations, it now becomes necessary to request a further immediate appropriation of Corporate Stock to the amount of \$45,000.

The advisability of utilizing these market lands after an investment of a million dollars by the City is of course apparent, and I have laid these matters before the Board on several occasions, but for the present I will confine my request for funds to only what is necessary to preserve the lands filled by protection work such as fendering, rip-rap, and the extension of the bulkhead to meet the amended bulkhead lines of the Department of Docks, as approved by the Sinking Fund Commission at a recent date.

Since the appropriation by the Board of \$200,000, filling to the amount of 190,000 cubic yards has been deposited on this market site, not only without cost to the City other than the cost of spreading the material, but furthermore, through the well arranged plans of the engineers in utilizing a cheap temporary bulkhead, the dredging material for the permanent sea wall construction has been deposited in place in such a manner as to afford a saving, as compared with the cost of disposing of this material at sea, to the amount of about \$22,000.

Investigation of these matters, the work accomplished and the plans prepared will show that the work has been competently designed and executed, and I would urge that the earliest possible action be taken on this application so that the important work of sea wall construction and extension may be carried to a successful completion, a portion of this appropriation being necessary owing to the increase in the necessary depth of the supporting crib work already mentioned.

Very truly yours,  
BIRD S. COLER, President.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 14, 1908. }

Hon. HERMAN A. METZ, Comptroller:

SIR—Hon. Bird S. Coler, President of the Borough of Brooklyn, under date of November 30, 1908, requests authorization of the Board of Estimate and Apportionment for the issuance of \$45,000 worth of Corporate Stock for the purpose of constructing the Eighth Ward Public Market, Brooklyn.

On June 6, 1906, application was made for the authorization of \$2,000,000 worth of Corporate Stock for the purpose of constructing this market, and on June 20 this Department recommended an appropriation of \$200,000 for the purpose of preparing the site, in accordance with the submitted estimates on the costs of undertaking the land reclamation.

This \$200,000 was authorized at the meeting of June 22, 1906, and with bond premiums has amounted to \$204,094.13, which amount, together with the \$45,000 additional asked for, will be required to complete the reclamation of the land previously under water. The work has been well and economically planned and is being efficiently prosecuted, and the excess cost over that originally estimated is more largely due to the greater depth of cribwork necessitated by conditions and the extension of the land end of the north concrete wall some 280 feet further east to meet changed location of the Dock Department's prospective improvement. The ensuing land reclamation will amount to nearly 13 acres, at a cost of about \$1,150 per 25 feet by 100 feet plot, and, except on the south, where, abutting private property, a temporary bulkhead has been constructed, is encompassed by a permanent concrete wall.

I would therefore recommend that the Board of Estimate and Apportionment authorize the Comptroller, pursuant to section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, to issue Corporate Stock to the additional amount of \$45,000, the proceeds to be used by the President of the Borough of Brooklyn for the preparation of land for a public market in the Eighth Ward of said Borough.

Respectfully,  
CHANDLER WITHINGTON, Chief Engineer.

Approved:  
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended, the Board of Estimate and Apportionment hereby approves of the issue of Corporate Stock of The City of New York, to an amount not exceeding forty-five thousand dollars (\$45,000), to be used by the President of the Borough of Brooklyn in the preparation of the land for a public market in the Eighth Ward, Borough of Brooklyn; and when authority therefor shall have been obtained from the Board of Aldermen, the Comptroller is authorized to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to an amount not exceeding forty-five thousand dollars (\$45,000), the proceeds whereof to be applied to the purposes aforesaid.

Which was adopted by the following vote:

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

The Secretary presented a communication from Alfred J. Boulton, former Register of Kings County, requesting an appropriation of \$2,583.33 as the final payment on account of services rendered by him and his assistants after the expiration of his term of office.

Which was referred to the Comptroller.

(On April 24, 1908, the Board fixed said compensation at \$11,000, and at various meetings has appropriated the sum of \$7,500 on account of said services.

On October 30, 1908, said former Register agreed to accept the sum of \$10,083.26 in full payment for the entire work, being eleven-twelfths of the sum fixed by the Board.)

The Secretary presented the following communication from the Comptroller suggesting that the Board adopt a resolution requesting the heads of departments and administrative officers authorized to make contracts, not to advertise for or enter into any further obligations, to be paid for by issues of Corporate Stock, without first submitting the same to the Board of Estimate and Apportionment for reapproval:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
December 15, 1908. }

To the Board of Estimate and Apportionment:

GENTLEMEN—I beg to call the attention of the Board of Estimate and Apportionment to the fact that contracts are being sent to the Finance Department for certification by various departments of the City government, in such numbers that it will be impossible in a short time to certify them, owing to the constantly narrowing of the borrowing margin of the City under constitutional restrictions.

Pending determination, either by the courts or legislative act, as to what charges shall be considered in estimating this margin, and so that the legality of bonds issued by the City may not come into question and its credit injured, I suggest that the Board pass a resolution requesting the heads of departments and administrative officers authorized to make contracts not to advertise for or enter into any further obligations, to be paid for by issues of Corporate Stock, without first submitting the same to the Board of Estimate and Apportionment for reapproval.

Respectfully,  
H. A. METZ, Comptroller.

The following was offered:

Whereas, The Comptroller has represented to the Board of Estimate and Apportionment that contracts are being sent to the Department of Finance for certification by the various City departments, in such numbers that it will be impossible in a short time to certify them, owing to the constant narrowing of the borrowing margin of the City under constitutional restrictions; therefore be it

Resolved, That, pending determination, either by the courts or legislative act, as to what charges shall be considered in estimating this margin, the heads of the various City departments and offices, authorized to make contracts, be requested not to advertise for or enter into any further obligations, to be paid for by the issues of Corporate Stock, without first submitting the same to the Board of Estimate and Apportionment for reapproval.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Brooklyn, Queens, Richmond and the Acting President of the Borough of The Bronx—14.

Present and Not Voting—The President of the Borough of Manhattan—2.

The Secretary presented communications as follows:

From the Business Men's Association of Flushing, Borough of Queens, inclosing copy of resolution adopted by said association urging the acquisition of property on Broadway, Whitestone avenue and State street, Borough of Queens, as a site for a high school.

(On September 18, 1908, the resolution of the Board of Education requesting the acquisition of said site was referred to the Comptroller.)

From the Merchants' Association of New York urging the approval of plans for the installation of a new fire alarm system in the Borough of Manhattan, and the granting of an appropriation for the same.

(On June 26, 1908, a communication from the City Club was presented to the Board on this matter and was referred to the President, Board of Aldermen.)

Which were referred to the Comptroller.

The Secretary presented a communication from the Central Federated Union of Greater New York, submitting resolutions adopted by said organization, urging the prosecution, with the greatest possible speed, of the further development of the Cat-skill water project, in order to provide work for the unemployed, etc.

Which was referred to the Board of Water Supply.

The Secretary presented the following communication from the Comptroller recommending an appropriation of \$960,000 from the water revenues received in the Borough of Brooklyn during the year 1909, for the maintenance and distribution of the water supply in said Borough for the year 1909:

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.  
December 15, 1908. }

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—I transmit herewith report of the Bureau of Municipal Investigation and Statistics of this Department relative to the request of the Commissioner of Water Supply, Gas and Electricity for an appropriation of \$2,806,623.75 out of the water revenue of the Borough of Brooklyn, pursuant to section 242 of the Charter, to provide for the maintenance and distribution of the water supply of said Borough during the year 1909, and in view of the facts stated in said report respectfully recommend the adoption of the resolution hereunto attached.

Respectfully,  
H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.  
December 15, 1908. }

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of a request from the Commissioner of the Department of Water Supply, Gas and Electricity for an appropriation of \$2,806,623.75 from the water revenues received by the Borough of Brooklyn during the year 1909, to provide for the anticipated expense of the maintenance and distribution of the water supply of that Borough during the ensuing year, I beg to submit the following report:

The amount requested by the Commissioner, namely, \$2,806,623.75, is an increase of \$604,623.75 over the amount allowed by the Board of Estimate and Apportionment for such purpose during the year 1908, namely, \$2,202,000. Pending a full report on the entire request, and in order that accounts for the operation of the Department in Brooklyn may be properly opened on the books of the Department of Water Supply, Gas and Electricity for the year 1909, I recommend the allowance of amounts aggregating \$960,000, to be apportioned as per the schedule hereunto attached. In such schedule certain of the items for supplies and repairs, contained in the Commissioner's original estimate, have been rearranged to correspond in form to the allowances for similar purposes made in the Budget appropriations for said Department for the year 1909.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:  
H. A. METZ, Comptroller.

#### SCHEDULE, DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

Maintenance and Distribution of Water Supply in the Borough of Brooklyn, 1909.		
General Administration—		
Taxes .....	\$15,000 00	
		\$15,000 00
Administration—		
Salaries, Office of Deputy Commissioner.....	\$4,000 00	
Salaries, Office of Chief Engineer.....	9,000 00	
		13,000 00
Collection and Storage—		
Water Sheds, Aqueducts, Ponds and Reservoirs:		
Salaries and Wages.....	\$50,000 00	
Materials for Repairs and Replacements by Departmental Labor .....	17,000 00	
Repairs and Replacements by Contracts or Open Orders .....	300 00	
Special Contract Obligation, S. W. Titus' contract..	20,000 00	
		87,300 00
Collection and Storage, Pumping Stations—		
Salaries and Wages.....	\$210,000 00	
Materials for Repairs and Replacements by Departmental Labor .....	5,000 00	
Repairs and Replacements by Contracts or Open Orders.	15,000 00	
Contingencies .....	1,000 00	
		231,000 00
Distribution—Water Registration, Permits and Revenue Collections, Salaries and Wages.....		
		10,000 00
Distribution, Maintenance—		
Salaries and Wages.....	\$118,000 00	
General Supplies .....	14,700 00	
Materials for Repairs and Replacements by Departmental Labor .....	20,000 00	
Repairs and Replacements by Contracts or Open Orders.	4,000 00	
Apparatus, Machinery, Vehicles, Horses, Equipment, Care and Storage of same.....	4,000 00	
Hired Teams, Horses and Carts.....	5,000 00	
Fire Hydrant Rentals and Water Purchased, Special Contract Obligations .....	75,000 00	

Telephone, Rentals of.....	4,000 00
Fuel .....	350,000 00
Contingencies .....	9,000 00
	603,700 00
	\$960,000 00

The following was offered:

Whereas, By subdivision 1 of section 242 of the Greater New York Charter, the Board of Estimate and Apportionment has the power to appropriate from time to time for the maintenance, improvement and extension of the system of water supply of the Borough of Brooklyn the moneys received from water rents in said Borough, subject, however, to the charges now imposed by law upon said revenue; and

Whereas, The Commissioner of the Department of Water Supply, Gas and Electricity has requested an appropriation to meet the expenses of such maintenance, improvement and extension for the year 1909, under said section of the law; and

Whereas, The Commissioner has asked for the sum of \$2,806,623.75, and the Comptroller has recommended that, pending the completion of an examination of the needs of said Department for said purposes, now being made under his instruction, the preliminary sum of \$960,000 be now allowed; therefore be it

Resolved, That the Board of Estimate and Apportionment hereby determines that the sum of nine hundred and sixty thousand dollars (\$960,000) be and hereby is set aside and appropriated from the water revenues received in said Borough during the year 1909, for the maintenance and distribution of said water supply in the Borough of Brooklyn during 1909, said appropriation to be apportioned as follows:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

Maintenance and Distribution of Water Supply in the Borough of Brooklyn, 1909.

General Administration—	
Taxes .....	\$15,000 00
Administration—	
Salaries, Office of Deputy Commissioner.....	4,000 00
Salaries, Office of Chief Engineer.....	9,000 00
Collection and Storage—	
Water Sheds, Aqueducts, Ponds and Reservoirs:	
Salaries and Wages.....	50,000 00
Materials for Repairs and Replacements by Departmental Labor.....	17,000 00
Repairs and Replacements by Contracts or Open Orders.....	300 00
Special Contract Obligations, S. W. Titus' contract.....	20,000 00
Collection and Storage, Pumping Stations—	
Salaries and Wages.....	210,000 00
Materials for Repairs and Replacements by Departmental Labor....	5,000 00
Repairs and Replacements by Contracts or Open Orders.....	15,000 00
Contingencies .....	1,000 00
Distribution—Water Registration, Permits and Revenue Collections, Salaries and Wages.....	10,000 00
Distribution, Maintenance—	
Salaries and Wages.....	118,000 00
General Supplies .....	14,700 00
Materials for Repairs and Replacements by Departmental Labor....	20,000 00
Repairs and Replacements by Contracts or Open Orders.....	4,000 00
Apparatus, Machinery, Vehicles, Horses, Equipment, Care and Storage of same.....	4,000 00
Hired Teams, Horses and Carts.....	5,000 00
Fire Hydrant Rentals and Water Purchased, Special Contract Obligations .....	75,000 00
Telephone, Rentals of.....	4,000 00
Fuel .....	350,000 00
Contingencies .....	9,000 00
	\$960,000 00

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Surrogate, Kings County, requesting the establishment of the grade of position of Recording Clerk at \$1,100 per annum, together with report of the Comptroller, to whom this matter was referred on December 11, 1908, recommending the granting of said request:

SURROGATE'S OFFICE, KINGS COUNTY, }  
BROOKLYN, N. Y., December 10, 1908.

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

GENTLEMEN—I would request that you authorize the establishment, as provided by section 56 of the City Charter, of the grade of the position of Recording Clerk at \$1,100 per annum for the Surrogate's Court of Kings County. These positions and grade are provided for in the Budget for the year 1909, as will be seen by reference to Schedule No. 1613.

Very truly yours,  
EDWARD J. BERGEN, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS. }  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—At a meeting of the Board of Estimate and Apportionment, held December 11, 1908, a communication was received from the Clerk of the Surrogate's Court of Kings County, requesting the establishment of the grade of position of Recording Clerk at \$1,100 per annum, this request having been referred to the Comptroller for consideration and report.

It appears upon examination of the Budget for the year 1909 that in the schedules of positions and grades accompanying Appropriation Item No. 1613, Surrogate's Court, Kings County, Salaries, that provision is made for eight Recording Clerks at \$1,100 per annum each. The Surrogate, in his departmental estimate for 1909, asked that \$1,200 each be provided for the eight Recording Clerks in his office then receiving \$1,000 each. It would appear, however, that only \$100 of the increase asked for each of these clerks was allowed in the Budget for 1909. Inquiry at the office of the Surrogate discloses the fact that a grade of \$1,200 for Recording Clerks exists, and that there are three persons receiving compensation at that rate. The Chief Clerk is authority for the statement that the work done by all the Recording Clerks in the office is practically the same, and that there is no good reason why any discrimination should exist. However, inasmuch as the Budget for 1909 provides only sufficient money to pay \$1,100 per annum each to eight Clerks now receiving \$1,000 per annum each, the establishment of the grade of \$1,100 per annum is asked for.

The attention of your Examiner has been directed to the fact that Copyists employed in the office of the Register of Kings County transcribing deeds and mortgages are doing practically the same kind of work as that done by the Recording Clerks in the Surrogate's office. There are thirty-five salaried Copyists employed in the Register's office at \$1,200 per annum each.

In view of the facts as herein stated, I would respectfully suggest that the Comptroller recommend to the Board of Estimate and Apportionment the approval of the request under consideration.

Respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment, in accordance with the provisions of section 56 of the Greater New York Charter, hereby recommends to the Board of Aldermen the establishment of the grade of position of Recording Clerk in the office of the Surrogate, Kings County (in addition to those already existing therein), with salary at the rate of eleven hundred dollars (\$1,100) per annum.

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Clerk, Surrogate's Court, Kings County, requesting the substituting in the salary schedule of the Surrogate's Court, Kings County, accompanying the Budget for the year 1909, of the item Chief Court Attendant at \$1,750 for the item Chief Court Attendant at \$1,350, together with report of the Comptroller, to whom this matter was referred on December 4, 1908, recommending the granting of said request:

SURROGATE'S OFFICE, KINGS COUNTY, }  
BROOKLYN, N. Y., November 30, 1908.

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

GENTLEMEN—I would request that you authorize a modification of the schedule accompanying appropriation account No. 1613 in the Budget for 1909, to the Surrogate's Court of Kings County, so as to provide for the payment of \$1,750 per annum to the Chief Court Attendant, instead of \$1,350, as indicated in said schedule. The grade of Chief Court Attendant at \$1,750 was established by the Board of Estimate and Apportionment and the Board of Aldermen subsequent to June, 1908. The fact that such grade had been so established was not known to the Examiners who prepared the schedule accompanying the appropriation account. The salary of the person holding this position was advanced to the \$1,750 grade September 1, 1908, and provision should be made for the continuance of this grade during 1909.

Very truly yours,

EDWARD J. BERGEN, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS. }  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Reporting on the request of the Surrogate of Kings County, received by the Board of Estimate and Apportionment December 4, 1908, for a modification of schedule accompanying appropriation item No. 1613 in the Budget for 1909, for his office, substituting the position and grade of Chief Court Attendant at \$1,750 per annum, instead of Chief Court Attendant at \$1,350 per annum, I beg to say that the grade of the Chief Court Attendant at \$1,750 per annum was fixed by resolution of the Board of Aldermen adopted July 11, 1908, upon the recommendation of the Board of Estimate and Apportionment, approved by the Mayor August 4, 1908. It will, therefore, be seen that the position and grade asked for is already fully established. That it was not so provided for in the schedule accompanying the Budget for 1909 is due to the fact that the said schedule was prepared by the Examiner of the Bureau of Municipal Investigation and Statistics upon the basis of the payroll of June, 1908, at which time the \$1,350 grade existed.

I would respectfully suggest that the Comptroller recommend to the Board of Estimate and Apportionment the approval of the request of the Surrogate, and for that purpose a resolution is appended hereto.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby authorizes the substitution in the salary schedule accompanying the appropriation in the Budget of The City of New York for the year 1909, for the office of the Surrogate of Kings County, of the position and salary grade of Chief Court Attendant at \$1,750 per annum, for the position and salary grade of Chief Court Attendant at \$1,350 per annum (item No. 1613).

Which was adopted by the following vote:

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

The Secretary presented a resolution of the Board of Aldermen, requesting the issue of \$6,000 Special Revenue Bonds (subdivision 8, section 188 of the Charter) to provide for the compensation of Copyists employed in the work of recopying the indices, old and mutilated records, etc., in the office of the Surrogate of Kings County.

Which was referred to the Comptroller.

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

A. \$3,200, as requested by the President of the Borough of Queens, from the appropriation made to said office for the year 1908, entitled Bureau of Street Cleaning—Sweeping, Carting and Final Disposition of Material, including Cremation and Utilization—Salaries and Wages, to the appropriation made for the same year, entitled Bureau of Street Cleaning—Sweeping, Carting and Final Disposition of Material, Including Cremation and Utilization—Hired Teams, Horses and Carts.

THE CITY OF NEW YORK, }  
OFFICE OF THE PRESIDENT OF THE BOROUGH OF QUEENS, }  
LONG ISLAND CITY, December 14, 1908.

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

DEAR SIR—I find that a surplus of thirty-two hundred dollars (\$3,200) exists in the appropriation entitled Sweeping, Carting and Final Disposition of Material, Including Cremation and Utilization, Salaries and Wages, in the Bureau of Street Cleaning, this Department, and that a corresponding deficiency exists in the fund entitled Sweeping, Carting and Final Disposition of Material, Including Cremation and Utilization, Hired Teams, Horses and Carts, Bureau of Street Cleaning.

I, therefore, send you herewith a resolution for the transfer of the said sum, which I would request be placed on the calendar at an early date.

Respectfully,

LAWRENCE GRESSER, President, Borough of Queens.

The following resolution was offered:

Resolved, That the sum of three thousand two hundred dollars (\$3,200) be and the same is hereby transferred from the appropriation made to the President of the Borough of Queens for the year 1908, entitled Bureau of Street Cleaning, Sweeping, Carting and Final Disposition of Material, Including Cremation or Utilization, Salaries and Wages, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the year 1908, entitled Bureau of Street Cleaning, Sweeping, Carting and Final Disposition of Material, Including Cremation or Utilization, Hired Teams, Horses and Carts, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

B. \$5,140, as requested by the President of the Borough of The Bronx, within the appropriation made for the year 1908.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX, }  
MUNICIPAL BUILDING, CROTONA PARK,  
December 14, 1908. }

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Request is hereby made for the transfer of the sum of \$290 from the appropriation made to the President of the Borough of The Bronx for the year 1908, entitled:

Bureau of Sewers, Sewers, Repairing and Cleaning, Payrolls and Supplies, Incidental Expenses.....	\$290 00
—the same being in excess of the amount required for the purposes thereof, to the appropriations made to the said President for the year 1908, entitled and as follows:	
Bureau of Sewers—	
Preliminary Surveys, Estimates, etc., Supplies.....	\$150 00
Preliminary Surveys, Estimates, etc., Incidental Expenses.....	140 00
	\$290 00

—the amount of said appropriations being insufficient.

Respectfully,

JOHN F. MURRAY, Commissioner of Public Works.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX, }  
MUNICIPAL BUILDING, CROTONA PARK,  
December 14, 1908. }

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Request is hereby made for the transfer of \$4,700 from the appropriations made to the President of the Borough of The Bronx for the year 1908, entitled and as follows:

Bureau of Sewers—	
Sewers, Repairing and Cleaning, Payrolls and Supplies, Equipment, Repairs, Renewals and Supplies.....	\$3,800 00
Boring Examinations, Supplies and Incidental Expenses.....	900 00
	\$4,700 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriation made to the said President for the year 1908, entitled:

Bureau of Public Buildings and Offices, Supplies and Repairs.....	\$4,700 00
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—the amount of said appropriation being insufficient.

Respectfully,

JOHN F. MURRAY, Commissioner of Public Works.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX, }  
MUNICIPAL BUILDING, CROTONA PARK,  
December 14, 1908. }

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Request is hereby made for the transfer of the sum of \$150 from the appropriation made to the President of the Borough of The Bronx for the year 1908, entitled:

Bureau of Highways, Labor, Maintenance and Supplies, Equipment Repairs, Renewals and Supplies.....	\$150 00
—the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said President for the year 1908, entitled:	
Bureau of Highways, Supplies and Contingencies.....	\$150 00
—the amount of said appropriation being insufficient.	

Respectfully,

JOHN F. MURRAY, Commissioner of Public Works.

The following resolution was offered:

Resolved, That the sum of five thousand one hundred and forty dollars (\$5,140) be and the same is hereby transferred from the appropriation made to the President of the Borough of The Bronx for the year 1908, entitled and as follows:

Bureau of Sewers—	
Sewers, Repairing and Cleaning, Payrolls and Supplies, Incidental Expenses .....	\$290 00
Sewers, Repairing and Cleaning, Payrolls and Supplies, Equipment, Repairs, Renewals and Supplies.....	3,800 00
Boring Examinations, Supplies and Incidental Expenses.....	900 00
Bureau of Highways, Labor, Maintenance and Supplies, Equipment, Repairs, Renewals and Supplies.....	150 00
	\$5,140 00

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

Bureau of Sewers—	
Preliminary Surveys, Estimates, etc.:	
Supplies .....	\$150 00
Incidental Expenses .....	140 00
Bureau of Public Buildings and Offices, Supplies and Repairs.....	4,700 00
Bureau of Highways, Supplies and Contingencies.....	150 00
	\$5,140 00

—the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

C. \$800, as requested by the Board of City Magistrates, Second Division, from the appropriation made for the year 1908, entitled Salaries, to the appropriation made for the same year, entitled Supplies and Contingencies.

PRESIDENT, BOARD OF MAGISTRATES, }  
SECOND DIVISION,  
BOROUGH OF BROOKLYN, December 14, 1908. }

JOSEPH HAAG, Esq., Secretary, Board of Estimate, City of New York:

DEAR SIR—I send you herewith inclosed a copy of communication this day forwarded to Hon. George B. McClellan, as Chairman of the Board of Estimate and Apportionment of The City of New York, relative to a transfer from Salary Account to Contingent Account of this Board for the year 1908.

Respectfully yours,

EDWARD J. DOOLEY, President.

PRESIDENT, BOARD OF MAGISTRATES, }  
SECOND DIVISION,  
BOROUGH OF BROOKLYN, December 14, 1908. }

Hon. GEORGE B. MCCLELLAN, Chairman, Board of Estimate, City of New York:

SIR—At the last meeting of the Board of City Magistrates of the Second Division of The City of New York the following resolution was adopted:

"Resolved, That the Board of Estimate and Apportionment of The City of New York be requested to transfer from the Salary Account for 1908 to the account of Supplies and Contingencies for the year 1908 the sum of eight hundred dollars, the amount allowed this Board for Supplies and Contingencies for the year 1908 being insufficient to pay all the bills to be incurred for said year."

In explanation of said resolution, I would say that there will be a balance of at least \$923.26 in the Salary Account of this Board for the year 1908 after the payment of the December salaries. At the present time we have a balance of \$1,109.08 in the Contingent Fund for the year 1908, and after the payment of bills pending and such bills desired to be incurred, the said balance will be insufficient to pay such bills.

In addition thereto, it is absolutely necessary that floor covering be placed in the First and Second District Courts in the Borough of Brooklyn, together with minor disbursements for the other Courts in this Division. The floor covering in said Courts is in very poor shape and should be attended to immediately, in order to avoid injury to persons visiting said Courts and a possible suit against the City for damages. This Board is required to furnish its own furniture, books, floor covering, etc. and to pay for same out of its Contingent Fund, and for this reason such transfer is asked.

Respectfully yours,

EDWARD J. DOOLEY, President.

The following resolution was offered:

Resolved, That the sum of eight hundred dollars (\$800) be and the same is hereby transferred from the appropriation made to the City Magistrates' Courts, Second Division, for the year 1908, entitled Salaries, the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Courts for the year 1908 entitled Supplies and Contingencies, the amount of said appropriation being insufficient.

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Commissioner of Water Supply, Gas and Electricity, requesting favorable consideration of the resolution of the Board of Aldermen relative to an issue of \$13,333.12 Special Revenue Bonds (subdivision 8 of section 188 of the Charter) to meet deficiencies in the appropriations made to the said Department for the year 1908, together with report of the Comptroller (to whom on December 11, 1908, the communication from the Commissioner of said Department was referred) recommending this issue to replenish the appropriations as set forth in said report:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, }  
COMMISSIONER'S OFFICE, NOS. 13 TO 21 PARK ROW,  
CITY OF NEW YORK, December 11, 1908. }

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

SIR—A request for the authorization of Special Revenue Bonds, to the amount of \$13,333.12 will be presented to your Board, the resolution having been adopted by the Board of Aldermen on the 8th inst. These Revenue Bonds are asked to enable the Department to continue in service men now paid out of certain salary appropriations which are deficient for this year. It would be a great hardship, just at this season, to lay off these men, which will have to be done unless further funds are thus provided.

Some transfers of salary appropriations were made by your Board at its last meeting which did not entirely relieve the situation. I am, therefore, compelled to make this appeal

Very respectfully,

JOHN H. O'BRIEN, Commissioner.

In the Board of Aldermen.

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

Adopted by the Board of Aldermen December 8, 1908, three-fourths of all the members voting in favor thereof, having been first advertised as required by law.

Approved by the Mayor, December 18, 1908.

P. J. SCULLY, Clerk.

DEPARTMENT OF FINANCE—CITY OF NEW YORK, }  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS. }  
December 17, 1908. }

Hon. HERMAN A. METZ, Comptroller:

SIR—Regarding the matter of the request of the Commissioner of Water Supply, Gas and Electricity for an issue of Special Revenue Bonds to the amount of \$13,333.12 to provide for the replenishment of certain salary accounts in that Department, which matter was the subject of a resolution by the Board of Aldermen adopted December 8, 1908, requesting the authorization of such issue by the Board of Estimate and Apportionment, I beg to report as follows:

In a report of this Bureau dated November 30, 1908, in reference to a request for certain transfers between the appropriations of the Department of Water Supply, Gas and Electricity, aggregating \$66,656.88, it was pointed out that while the requested transfers were otherwise legitimate, some \$13,000 of the amount was proposed to be transferred from supplies to salaries appropriations, which action being contrary to a rule of this Department, could not be approved. It is to meet this difficulty that the present request for a Revenue Bond issue is made; and, as will be seen, no ad-

ditional burden upon the City is involved, the bond issue being balanced by the surplus left in the supply accounts.

In the meantime, however, it has been found that by certain new adjustments and economies in the accounts of the Department, the amount required will not exceed \$12,000; and it is therefore respectfully recommended that concurrence in the resolution of the Board of Aldermen be limited to that sum, the same to be apportioned among the accounts of the Department as provided in the accompanying resolution.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of and concurs in the resolution of the Board of Aldermen, adopted December 8, 1908, and approved by the Mayor December 18, 1908, requesting an issue of Special Revenue Bonds in the sum of \$13,333.12, to the extent of \$12,000, the proceeds whereof to be used by the Commissioner of Water Supply, Gas and Electricity, for the purpose of replenishing appropriations of said Department for the year 1908, as follows:

BOROUGH OF MANHATTAN AND THE BRONX.

Collection and Storage—

Pumping Stations, Salaries and Wages.....	\$2,500 00
Bronx River System, Horses and Carts.....	250 00
Distribution and Maintenance, Horses and Carts.....	500 00
High-pressure Fire Service, Manhattan, Salaries and Wages.....	2,000 00
Distribution, Water Registration, Permits and Revenue Collections, The Bronx—	
Salaries and Wages.....	500 00

BOROUGH OF QUEENS.

Collection and Storage, Pumping Stations and Standpipes, Salaries and Wages .....	3,500 00
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BOROUGH OF RICHMOND.

Administration, Office of Deputy Commissioner, Salaries.....	200 00
Collection and Storage, Pumping Stations, Salaries and Wages.....	1,800 00
Bureau of Electrical Inspection, Queens, Salaries and Wages.....	750 00
	<u>\$12,000 00</u>

—and for the purpose of providing means therefor, the Comptroller be and hereby is authorized to issue Special Revenue Bonds of The City of New York, pursuant to the provisions of subdivision 8, section 188 of the Greater New York Charter, to the amount of twelve thousand dollars (\$12,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Treasurer, Brooklyn Public Library, requesting authority to apply the sum of \$2,500 from the issue of \$8,660 Special Revenue Bonds (subdivision 7 of section 188 of the Charter), authorized on June 26, 1908, for the maintenance of five new Carnegie Libraries in Brooklyn during 1908, to the purpose of sodding the grounds and placing around the buildings sidewalks and fences, together with report of the Comptroller, to whom this matter was referred on December 11, 1908, recommending the issue of \$2,500 Corporate Stock for this purpose:

BROOKLYN PUBLIC LIBRARY,  
No. 26 BREVOORT PLACE,  
December 7, 1908.

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

GENTLEMEN—Friday, July 31, the Board of Estimate and Apportionment appropriated \$8,660 for the maintenance of five new Carnegie Libraries, opened in the Borough of Brooklyn in 1908, as follows:

Leonard Branch, Leonard and Devoe streets.....	\$3,090 00
Brownsville Branch, Glenmore avenue and Watkins street.....	1,590 00
Bushwick Branch, Seigel and Morrell streets.....	1,340 00
City Park Branch, St. Edwards street and Auburn place.....	1,300 00
Saratoga Branch, Macon street and Hopkinson avenue.....	1,340 00
Total .....	<u>\$8,660 00</u>

Owing to the delays of contractors the buildings were not ready as early as anticipated, and the Library finds that it has on hand a balance amounting to about \$2,500. Certain betterments are necessary for the appearance of the buildings and you are respectfully requested to allow the Trustees to expend the balance, \$2,500, more or less, for sodding the grounds and placing around the buildings sidewalks and fences.

The above application is made after a conference with the Comptroller, Hon. Herman A. Metz, and we trust that the application may be granted.

Very truly yours,

JOHN W. DEVOY, Treasurer.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.  
December 16, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of the communication of John W. Devoy, Treasurer of the Brooklyn Public Library, under date of December 7, 1908, which was presented at a meeting of the Board of Estimate and Apportionment held December 11, 1908, requesting authority to apply \$2,500 from the issue of \$8,660 Special Revenue Bonds, authorized June 26, 1908, for maintenance of certain new libraries during the year 1908, to the purpose of sodding the ground and placing around the buildings sidewalks and fences, and which was referred to you for consideration and report, I beg to submit the following:

Special Revenue Bonds, under the provisions of subdivision 7, section 188 of the Charter, were authorized June 26, 1908, in amount \$8,660, to provide for the maintenance of one new branch library, known as the Leonard Branch, to be established in Carnegie building, and for the additional maintenance of four branch libraries to be moved into Carnegie buildings, said allowance being for the remaining portion of the year 1908.

The construction of the buildings is completed and the said buildings have been accepted by the City and the several libraries are installed in the new quarters so provided. It, however, appears that the sites upon which buildings have been erected, in accordance with the agreements made by the City with the representatives of Andrew Carnegie, will require certain improvements, viz.: sidewalks, fences and placing the grounds around said buildings in proper condition. In the opinion of your Examiner the expense of such betterment of the Library site might appropriately have been met out of the Carnegie funds, the said agreements with the representatives of Andrew Carnegie relative to the erection of the new buildings provide that upon the acquisition of sites they shall "proceed with the erection and equipment of library

buildings thereon, without cost to The City of New York, and shall complete the same with funds so to be contributed by Andrew Carnegie," but under the construction placed upon this portion of the agreement quoted by your Examiner it does not seem obligatory for the said representatives to place upon the donor the further burden of the expense of placing the site in presentable and safe condition. I would recommend that in the further erection of Carnegie buildings that such methods may be employed that the said representatives may be enabled to turn the library property over to the City in as satisfactory a condition as a grantee would require.

The fact remains, however, that the said buildings have been accepted by the City and the sites, in the judgment of the Trustees, require an outlay approximately of the sum of \$2,500 for purposes as stated.

It is stated by Mr. Devoy, Treasurer, that owing to delays of contractors the buildings were not ready as early as anticipated and the allowance made for maintenance, viz.: \$8,660, will exceed by approximately \$2,500 the increased cost of maintenance as provided, and request that the said excess may be used in the expense to be incurred for "sodding the grounds and placing around the buildings sidewalks and fences."

This contemplated expense seems in no sense a maintenance, but rather in the nature of a permanent betterment to the property of the City and should not, in the opinion of your Examiner, be met out of the proceeds of bonds authorized for the maintenance of the libraries, but rather under the provisions of section 47 of the Charter as amended by chapter 376 of the Laws of 1908.

In view of the expressed requirements stated by the Brooklyn Public Library, I would recommend that pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 376 of the Laws of 1908, appropriation be made to the Brooklyn Public Library in the amount not exceeding \$2,500 to provide for the expense of constructing fences and sidewalks and sodding the grounds of the Carnegie Branch Libraries, known as Leonard, Brownsville, Bushwick, City Park and Saratoga.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:

H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended, the Board of Estimate and Apportionment hereby approves of the issue of Corporate Stock of The City of New York to an amount not exceeding twenty-five hundred dollars (\$2,500) to provide for the expense to be incurred by the Trustees of the Brooklyn Public Library for sidewalks, fences and the sodding of the grounds of the following branch libraries in the Borough of Brooklyn:

Leonard Branch, Leonard and Devoe streets;  
Brownsville Branch, Glenmore avenue and Watkins street;  
Bushwick Branch, Seigel and Morrell streets;  
City Park Branch, St. Edwards street and Auburn place;  
Saratoga Branch, Macon street and Hopkinson avenue;

—and when authority therefor shall have been obtained from the Board of Aldermen, the Comptroller is authorized to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to an amount not exceeding twenty-five hundred dollars (\$2,500), the proceeds whereof to be applied to the purposes aforesaid.

Which was adopted by the following vote:

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

The following matters not upon the Calendar for this day were considered by unanimous consent:

The following transfer of appropriations was made upon the recommendation of the Comptroller:

\$5,726.97, as requested by the Comptroller, from the appropriations made for the year 1908, entitled Interest on Revenue Bonds of 1904 and 1905, to the appropriations made for the year 1908, entitled Interest on Revenue Bonds of 1907 and 1908.

CITY OF NEW YORK,  
DEPARTMENT OF FINANCE,  
December 17, 1908.

Mr. FRANK W. SMITH, Chief Accountant and Bookkeeper:

DEAR SIR—The balances in the following described appropriations for the year 1908 will not be required for the purpose for which they were appropriated:

Interest on Revenue Bonds of 1904.....	\$5,031 97
Interest on Revenue Bonds of 1905.....	695 00

As the appropriations made for the year 1908 for Interest on Revenue Bonds of 1907, and for Interest on Revenue Bonds of 1908, are insufficient for the payment of such interest, I would request that transfers be made of the above described balances as follows:

From Interest on Revenue Bonds of 1904 to Interest on Revenue Bonds of 1907 .....	\$1,145 24
From Interest on Revenue Bonds of 1904 to Interest on Revenue Bonds of 1908 .....	3,886 73
From Interest on Revenue Bonds of 1905 to Interest on Revenue Bonds of 1908 .....	695 00
	<u>\$5,726 97</u>

Very truly yours,

JAMES J. SULLIVAN, Chief Stock and Bond Clerk.

The following resolution was offered:

Resolved, That the sum of five thousand seven hundred and twenty-six dollars and ninety-seven cents (\$5,726.97) be and the same is hereby transferred from the appropriations made for the year 1908, entitled:

Interest on Revenue Bonds of 1904.....	\$5,031 97
Interest on Revenue Bonds of 1905.....	695 00
	<u>\$5,726 97</u>

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

Interest on Revenue Bonds of 1907.....	\$1,145 24
Interest on Revenue Bonds of 1908.....	4,581 73
	<u>\$5,726 97</u>

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

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

The Comptroller presented the following communication from the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting an issue of \$500,000, Corporate Stock, pursuant to chapter 517, Laws of 1907, for the purpose of construct-

ing and completing extensions to the building in Central Park occupied by the Metropolitan Museum of Art, and for furnishing and equipping said building, together with report of the Chief Engineer of the Department of Finance, recommending the issue as requested.

This matter was referred to the Comptroller on December 11, 1908.

DEPARTMENT OF PARKS—MANHATTAN AND RICHMOND,  
THE ARSENAL, CENTRAL PARK,  
December 5, 1908.

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

GENTLEMEN—I beg to request that your Honorable Board will authorize an issue of Corporate Stock to the amount of five hundred thousand dollars (\$500,000), pursuant to the provisions of chapter 517 of the Laws of 1907, for the purpose of constructing and completing extensions of the building in the Central Park, occupied by the Metropolitan Museum of Art, and make necessary changes and alterations in the said building, and to repair, fit up, equip and furnish said building and any extensions thereof.

Respectfully,  
(Signed) HENRY SMITH, Commissioner.

December 17, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Under date of December 5, 1908, the Hon. Henry Smith, Commissioner of Parks, Boroughs of Manhattan and Richmond, asks the Board of Estimate and Apportionment to authorize the issue of Corporate Stock to the amount of \$500,000 for the purpose of constructing and completing extensions of the building in Central Park occupied by the Metropolitan Museum of Art, and to make necessary changes and alterations in the said building, and to repair, fit up, equip and furnish said building and any extensions thereof.

I have conferred with the Architect for the proposed extensions, and I find that it is proposed with this money and a balance remaining from a former appropriation to erect a power house to house boilers for the heating of the entire group of buildings and for furnishing steam to the elevator pumps, etc., but not to install electric generating machinery.

As to the repairs mentioned in the letter of the Park Commissioner, I believe that no Corporate Stock should be used for such purpose.

I therefore recommend, if the financial condition of the City will permit thereof, the Board of Estimate and Apportionment authorize the Comptroller, pursuant to chapter 517 of the Laws of 1907, to issue Corporate Stock to the amount of \$500,000, for the purpose of constructing and completing extensions of the building in Central Park occupied by the Metropolitan Museum of Art, and for making necessary changes and alterations in said building, and to fit up, equip and furnish said building and any extensions thereof.

Respectfully,  
CHADLER WITHINGTON, Chief Engineer.

The following resolution was offered:

Resolved, That, pursuant to the provisions of chapter 517 of the Laws of 1907, the Board of Estimate and Apportionment hereby concurs in the requisition of the Commissioner of Parks, Boroughs of Manhattan and Richmond, under date of December 5, 1908, for an issue of five hundred thousand dollars (\$500,000) Corporate Stock for the purpose of constructing and completing extensions of the building in Central Park occupied by the Metropolitan Museum of Art, and for making necessary changes and alterations in said building, and to fit up, equip and furnish said building and any extensions thereof; and for the purpose of providing means therefor, the Comptroller be and is hereby authorized to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to an amount not exceeding five hundred thousand dollars (\$500,000), the proceeds whereof to be applied to the purposes aforesaid.

Which was adopted by the following vote:

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

The Secretary presented the following communication from the Commissioner of Street Cleaning requesting the approval of the award of the contract for the final disposition of garbage in the Borough of The Bronx, for a period beginning December 1, 1908, and ending August 1, 1911, to the New York Sanitary Utilization Company, and that the difference between the amount allowed in the Budget for 1909 for this purpose, namely, \$25,000, and the sum of \$48,500, the cost of the work under the new contract for the year 1909 be provided for, together with reports of the Comptroller (to whom this matter was referred on November 13, 1908), recommending the awarding of said contract as requested, and suggesting that the Commissioner of said Department apply to the Board of Aldermen for an issue of Special Revenue Bonds to provide the necessary funds therefor, for the year 1909.

DEPARTMENT OF STREET CLEANING,  
NOS. 13 TO 21 PARK ROW, NEW YORK,  
November 5, 1908.

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

SIR—As advertised, according to law, bids were opened October 13, 1908, for the contract for furnishing all the labor and materials required for the final disposition of garbage in the Borough of The Bronx, for the period beginning December 1, 1908, and ending August 1, 1911, as follows:

McKeever Company—\$60,000 for the first year; \$65,000 for the second year; \$50,000 for the third fractional year.

New York Sanitary Utilization Company—\$48,500 for the first year; \$53,300 for the second year; \$39,000 for the third fractional year.

I have selected the bid of the New York Sanitary Utilization Company, and intend to award the contract to said company, subject to the approval of your Board, which I request, pursuant to section 544 of the Charter.

In connection with this matter there are two points to be considered: first, the contract by its express terms begins December 1, 1908, yet it cannot be certified as required by section 149 of the Charter until some time after that; that is to say, until the Budget for 1909 has been finally adopted.

In the second place, it will be perceived that the amount for the first year is \$48,500, but the Budget, as printed, provides only \$25,000 for that purpose. The reason of this is that the departmental estimate making provision for that amount was made in September, while bids for this contract were not opened until October 13, 1908.

The work under the present contract will end with November 30, and it is absolutely necessary that the work shall continue (under the new contract), during the month of December; and I submit to your Board that some method be found by which the contract can be certified for that month, and by which the increased cost of the work under this new contract, that is to say, the difference between \$25,000 and \$48,500, can be provided for the year 1909.

Respectfully,  
FOSTER CROWELL, Commissioner.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,  
COMPTROLLER'S OFFICE,  
November 19, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—Hon. Foster Crowell, Commissioner, Department of Street Cleaning, in communication under date of November 5, 1908, requests the Board of Estimate and

Apportionment, pursuant to section 544 of the Greater New York Charter, to approve of the award of a contract for the final disposition of garbage in the Borough of The Bronx, for the period beginning December 1, 1908, and ending August 1, 1911; also requesting that the difference between the amount allowed in the Budget for 1909 and the contract price be provided for in 1909; also to prescribe a method for paying for said work for the month of December, 1908. I would herewith report upon the awarding of the contract.

At a meeting of the Board of Estimate and Apportionment held September 18, 1908, a form of this contract was approved, and in accordance with an advertisement in the CITY RECORD, bids were opened October 13, 1908, as follows:

McKeever Company, \$60,000 for first year, \$65,000 for second year, \$50,000 for third fractional year.

New York Sanitary Utilization Company, \$48,500 for first year, \$53,300 for second year, \$39,000 for third fractional year.

This work at present is being done by the New York Sanitary Utilization Company under a five (5) year contract, which expires on November 30, 1908.

The following table gives the price paid per year and the amount of garbage delivered to the contractor:

	Tons.	Price Per Year.
1904.....	14,701	\$15,000 00
1905.....	16,572	16,000 00
1906.....	18,053	18,000 00
1907.....	21,175	21,000 00
1908.....	24,495	25,000 00

It will be noted that the price bid and paid for this work during the last five (5) years is practically \$1 per ton, due to the increase in population. It is estimated that the output for 1909 will be approximately 28,000 tons, which would be a price of \$28,000 for the year 1909, or \$20,500 less than the lowest bidder's price.

This difference I account for by this contract having certain requirements which are not included in the present contract of five (5) years, namely:

Cash deposit, \$10,000, interest for one year.....	\$400 00
New plant, \$20,000 (proportion for one year).....	7,000 00
Interest on \$20,000, one year.....	800 00
Inspection per year.....	500 00
To possible extra dumps, three scows each, six (6) scows, at \$5 per day.....	10,950 00
Total.....	\$19,650 00

The bidder to whom the Commissioner has made the award is the lowest, and I think the Board of Estimate and Apportionment, pursuant to section 544 of the Greater New York Charter, may properly approve, as requested by the Commissioner of the Department of Street Cleaning, the award of the contract for the final disposition of garbage in the Borough of The Bronx for the period beginning December 1, 1908, and ending August 1, 1911, to the New York Sanitary Utilization Company, at \$48,500 for the first year, \$53,300 for the second year, \$39,000 for the third fractional year.

Respectfully,  
CHANDLER WITHINGTON, Chief Engineer.

Approved:  
H. A. METZ, Comptroller.

DEPARTMENT OF FINANCE—CITY OF NEW YORK,  
BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS,  
December 15, 1908.

Hon. HERMAN A. METZ, Comptroller:

SIR—In the matter of the communication of Foster Crowell, Commissioner of the Department of Street Cleaning of The City of New York, under date of November 5, 1908, requesting the approval by the Board of Estimate and Apportionment of a proposed contract with the New York Sanitary Utilization Company for the final disposition of garbage in the Borough of The Bronx for the period beginning December 1, 1908, and ending August 1, 1911, also requesting that provision be made for additional appropriation to provide for the certification of the proposed contract as required by section 149 of the Charter, it appears that the matter of the approval of the proposed contract by the Board of Estimate and Apportionment has been made the subject of a report to you by Chandler Withington, Chief Engineer, under date of November 19, 1908, and I therefore submit the following, relative to the requirements of additional appropriation which will be made necessary if such proposed contract be entered into by the Commissioner of Street Cleaning and approved by the Board of Estimate and Apportionment.

The appropriation made in the Budget for the year 1908 entitled Disposal of Garbage, including Towing and Unloading, Borough of The Bronx, was in the sum of \$25,000. Against this appropriation there has been certified, to provide for the contract with the New York Sanitary Utilization Company from January 1, 1908, to December 1, 1908, and which, under the terms of said contract will be required, the sum of \$22,916.67, leaving a balance of appropriation for the year 1908 of \$2,083.33, as available for certification of the proposed contract. The said proposed contract provides for payment to the contractor for the first year of the sum of \$48,500. There would therefore be required for the month of December, 1908, one-twelfth of the said annual amount, viz., \$4,041.67, an amount in excess of appropriation available of \$1,958.34.

In this connection, however, your Examiner has been advised by the Chief Book-keeper of the Department of Street Cleaning that an agreement with the New York Sanitary Utilization Company for the final disposition of garbage in the Borough of The Bronx for each week of the month of December, 1908, has been entered into on the basis of former contract, viz., \$25,000 for twelve months; and therefore the amount available for the year 1908, as stated, viz., \$2,083.33, will be adequate for such purpose.

For the year 1909 there will be required, under the terms of said proposed contract, the sum of \$48,500. The appropriation made in the Budget for the year 1909 was in the sum of \$25,000, leaving estimated deficit for said year of \$23,500.

In the event that the contract under consideration is entered into and approved by the Board of Estimate and Apportionment, it will be necessary to provide additional amount to that allowed in the Budget for the year 1909, and I would therefore suggest that application be made by the Commissioner of Street Cleaning to the Board of Aldermen for an issue of Special Revenue Bonds to the amount of \$23,500, to provide for such deficiency for the year 1909, and would recommend that upon the approval by the Board of Aldermen of such application that the Board of Estimate and Apportionment concur to the extent of \$23,500.

Yours respectfully,

CHARLES S. HERVEY, Supervising Statistician and Examiner.

Approved:  
H. A. METZ, Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment, pursuant to the provisions of section 544 of the Greater New York Charter, hereby approves of the award, by the Commissioner of Street Cleaning, of the contract for the final disposition of garbage in the Borough of The Bronx, for a period beginning December 1, 1908, and ending August 1, 1911, to the New York Sanitary Utilization Company, at its bid as follows:

For the first year.....	\$48,500 00
For the second year.....	53,300 00
For the third fractional year.....	39,000 00

Which was adopted by the following vote:

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

The Secretary was directed to forward to the Commissioner of Street Cleaning, a copy of the report relative to providing the funds to meet said contract.

The Comptroller presented a communication from the City Club, acknowledging receipt of letter dated December 11, 1908, signed by the Mayor, being a reply on the part of the Board to the City Club's request that the Board of Estimate and Apportionment employ one or more experts to examine and verify the plans and stress sheets of the Manhattan Bridge.

Which was referred to the Chief Engineer of the Board.

(The communication from the City Club above referred to was on the Calendar of the meeting held December 11, 1908.)

The Comptroller presented communications, etc., as follows:

From the Register, Kings County, requesting the fixing of salaries of the following positions, pursuant to section 56 of the Charter and of section 7 of the Land Title Registration Law (chapter 444, Laws of 1908), as provided for in the Budget for 1909:

Chief Clerk.....	\$2,500 00
Tickler, Certificate, Registration and Entry Clerk.....	1,800 00
Assistant Cashier.....	1,200 00
Cautionary Notice Clerk.....	1,500 00
Map and Filing Clerk.....	1,200 00
General Clerk and Searcher.....	1,200 00
Custodian .....	750 00
Messenger .....	750 00

Petition of Katie Maesel, presenting claim for \$1,100.13, pursuant to the provisions of chapter 601, Laws of 1907, for interest on the purchase price of \$41,000 of the property known as No. 26 Chrystie street, Borough of Manhattan (acquired for the approach to the Manhattan Bridge), from June 1, 1908 (the date of the vesting title), to November 12, 1908 (the date of closing title).

From the Board of Trustees, Bellevue and Allied Hospitals, requesting an issue of Corporate Stock in the sum of \$5,000, for making repairs to and heating the ferryboat "Southfield" and for providing for the salaries of Attendants required to care for the tubercular patients.

From the Board of City Magistrates, First Division, referring to a resolution of the Board of Aldermen relative to an issue of \$1,125 Special Revenue Bonds (subdivision 8, section 188 of the Charter), to provide for the salaries of three Female Probation Officers from August 1 to December 31, 1908, at the rate of \$75 each per month, and requesting that the sum of \$1,079.03 be appropriated through some other medium for said purpose in lieu of the issue of bonds requested by the Board of Aldermen.

(On December 4, 1908, the resolution of the Board of Aldermen, as above, was referred to the Comptroller.)

From the President of the Borough of Queens, requesting authority to enter into a contract for the construction of two padded cells in the men's and women's quarters in the Queens County Jail, and for the installation of an automatic system for flushing the toilets in said jail, the cost of same to be charged against the Special Revenue Bond issue authorized September 20, 1907, for repairing locks and levers, stairways, ceilings, etc., in the Queens County Jail.

(On November 6, 1908, a report of the Grand Jury, Queens County, October Term, recommending the above improvements, was referred to the President of the Borough of Queens.)

From the Hudson-Fulton Celebration Commission, requesting an appropriation of \$300,000 toward the expenses of the commemoration in 1909 of the three hundredth anniversary of the discovery of the Hudson River by Henry Hudson, and the one hundredth anniversary of the first successful application of steam to navigation on the Hudson River by Robert Fulton.

From the Van Nest Property Owners' Association, urging favorable consideration of the request of the President of the Borough of The Bronx for an appropriation for the construction of a bridge over the Bronx River at East One Hundred and Eightieth street.

(On November 6, 1908, a communication from the President of The Bronx, requesting an issue of \$75,000 Corporate Stock for the above purpose was referred to the Comptroller.)

Which were referred to the Comptroller.

The Comptroller presented a communication from the Board of Trustees, Bellevue and Allied Hospitals, requesting the establishment of following grades of positions in said Department, which involves an amendment to the salary schedule attached to the Budget for the year 1908:

General Medical Superintendent.....	\$6,000 00
Director of Laboratories.....	5,000 00
Contract Clerk .....	1,950 00
Secretary to the President.....	2,500 00
Supervising Engineer .....	2,000 00
General Superintendent of Training Schools.....	2,500 00
Bookkeeper .....	1,200 00
Bookkeeper .....	1,500 00
Stenographer .....	900 00
Stenographer .....	1,200 00
Clerk .....	900 00
Stenographers, three, at \$750 each.....	2,250 00
Hospital Helper .....	360 00
Hospital Helper .....	600 00
Hospital Helpers, two, at.....	720 00
Hospital Helpers, two, at.....	540 00
Junior Clerk .....	900 00
Junior Clerks, two, at.....	600 00

Which was referred to the Select Committee, consisting of the Comptroller and the President, Board of Aldermen.

The Comptroller moved that the Select Committee, consisting of the Comptroller, the Corporation Counsel, the Commissioner of Docks and Ferries and the Chief Engineer of the Board, be reconstituted for the purpose of taking up the Brooklyn ferry situation and report to this Board.

Which motion was adopted.

(On April 24, 1908, said Committee was appointed and on November 13, 1908, was discharged from further consideration of the matter.)

The Comptroller presented the following communication from the Commissioner of Docks and Ferries requesting authority (pursuant to resolution adopted by the Board of Estimate December 18, 1908), to advertise for and enter into a contract for the purchase of 10,000 tons of coal for the operation of the ferry from the foot of Whitehall street, East River, Manhattan, to the foot of Thirty-ninth street, Brooklyn:

DEPARTMENT OF DOCKS AND FERRIES, THE CITY OF NEW YORK,  
PIER "A," NORTH RIVER, NEW YORK,  
December 18, 1908.

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

SIR—I respectfully request the approval of the Board of Estimate and Apportionment to advertise for and enter into a contract for the purchase of ten thousand tons of coal for the operation of the ferry from the foot of Whitehall street, East River, Manhattan, to the foot of Thirty-ninth street, Brooklyn.

Yours respectfully,

ALLEN N. SPOONER, Commissioner.

The following was offered:

Whereas, The Board of Estimate and Apportionment at a meeting held December 18, 1908, adopted a resolution requesting the heads of the various City departments and offices not to advertise for contracts nor enter into any further obligations, to be paid for by the issues of Corporate Stock, without first submitting the same to the Board of Estimate and Apportionment for reapproval; therefore be it

Resolved, That the request of the Commissioner of Docks and Ferries for authority to advertise for and enter into a contract for the purchase of ten thousand (10,000) tons of coal for the operation of the ferry from the foot of Whitehall street, East River, Borough of Manhattan, to the foot of Thirty-ninth street, Borough of Brooklyn, be and the same is hereby approved.

Which was adopted by the following vote:

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

The Chair presented a communication from the Secretary of the Consolidated Board of Business Agents of the Building Trades requesting that a representative of said organization be given an opportunity to appear before the Board and be heard in regard to the Budget for 1909.

Mr. Victor Buhr, representing said organization, appeared on behalf of the mechanics employed in the Department of Public Charities, and the Chair suggested that he confer with the Comptroller and the Commissioner of Public Charities.

The Comptroller presented the following communication from the President, Borough of Richmond, requesting authority to accept the bid of the Buffalo Steam Roller Company at \$2,640, for furnishing one Buffalo double cylinder English steam roller, said bid being other than the lowest, and reported verbally in favor of authorizing the acceptance of said bid, pursuant to section 419 of the Charter:

OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND,  
BOROUGH HALL, NEW BRIGHTON,  
NEW YORK CITY, December 17, 1908.

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

GENTLEMEN—On December 15, we received bids from the following five parties for a ten-ton steam road roller:

Buffalo Steam Roller Company (for its "Niagara").....	\$1,769 00
Monarch Steam Roller Company.....	2,133 00
Barber Asphalt Paving Company.....	2,275 00
Charles Longenecker Company.....	2,500 00
Buffalo Steam Roller Company (Standard heavy roller).....	2,640 00

We have had for some time past in the Borough of Richmond three steam rollers of different types. The Buffalo Pitts heavy roller, sold us by the Buffalo Steam Roller Company, has been by far the most economical roller in service, though most costly to purchase, practically no repairs having been necessary, due to defect in design or material, while the expense for repairs to the other two machines have been very considerable.

As a steam roller is bought for many years' use, the question of first cost is of far less importance than the later expense of maintenance. A very important factor in the case is the long delay often necessary to secure repair parts when a steam roller breaks down, necessarily putting a stop to practically all of the work for which the roller is used, until a new part can be secured.

In view of our experience and information, there is but little risk of the breaking of any part of the heavier roller as made by the Buffalo Steam Roller Company, and being of a standard form, largely used, it is feasible to secure new parts upon telegraphic order.

We find on examining the list of steam rollers in use by different Departments of the City, that almost half of those noted in the list are of above or Buffalo Pitts type, with repair bills at the minimum.

We would, therefore, ask that we be authorized to award the contract for one Buffalo double cylinder English steam roller to the Buffalo Steam Roller Company at the price bid, namely \$2,640.

Yours respectfully,

GEORGE CROMWELL, President, Borough of Richmond.

The following resolution was offered:

Resolved, That pursuant to the provisions of section 419 of the Greater New York Charter, the Board of Estimate and Apportionment hereby authorizes the President of the Borough of Richmond, to accept the bid of the Buffalo Steam Roller Company, for furnishing one Buffalo Double Cylinder English Steam Roller, at its bid of twenty-six hundred and forty dollars (\$2,640), it being for the public interest that a bid other than the lowest should be accepted.

Which was adopted by the following vote:

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

Pursuant to a motion adopted December 11, 1908, the Board adjourned to meet Friday, January 8, 1909, at 10.30 o'clock in the forenoon.

JOSEPH HAAG, Secretary.

## POLICE DEPARTMENT.

December 28, 1908.

The following proceedings were this day directed by the Police Commissioner:

Ordered, That the Municipal Civil Service Commission be respectfully informed as to the names appearing on eligible list dated December 16, 1908, from which to appoint one Oiler, that George Lasher failed to appear and Richard Bryan and William Moore were found not competent to fill the position, not having had marine experience.

Ordered, That requisition be and is hereby made upon the Municipal Civil Service Commission for a further eligible list, from which to enable the Police Commissioner to appoint one Oiler, for duty on the steam vessel "Patrol," with compensation at the rate of \$780 per annum.

Referred to the Comptroller.

Schedule of vouchers, Police Department Fund (Sites and Buildings), \$4,649.  
Schedules of vouchers as follows:  
Police Station-houses, etc., 1907..... \$167 00  
Extra Telephone and Telegraph Supplies, 1908..... 377 46  
Police Station-houses, etc., 1908..... 473 03  
Supplies for Police, 1908..... 4,025 91

Disapproved.

Application of Long Island Railroad Company for appointment of George W. Johnson as Special Patrolman.

Concert License Granted.

Pastime Amusement Company (Inc.), Pastime Theatre, No. 1314 Fifth avenue, Manhattan, from December 26, 1908, to March 25, 1909; fee, \$150. No liquors.

On File, Send Copy.

Reports of Lieutenant in command of Boiler Squad, dated December 24 and 26, 1908, relative to engineers' licenses granted. For publication in the City Record.

Special Order No. 330, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 330.

The following temporary assignments are hereby ordered:

Inspector John J. O'Brien, Fifteenth Inspection District, assigned to command Ninth Inspection District, in addition to his own district, during absence of Inspector Patrick J. Harkins, from 12 noon, December 27, 1908, until 12.01 a. m., December 28, 1908.

Lieutenants—Henry M. Sheppard, One Hundred and Eighty-fourth Precinct, assigned to command precinct, during absence of Acting Captain William A. Coleman, for one day, from 12 noon, December 27, 1908; Garrie Carmen, Two Hundred and Seventy-eighth Precinct, assigned to command precinct, during absence of Acting Captain George E. Harrington, for one day, from 8 a. m., December 30, 1908; Patrick J. Walsh, Sixteenth Precinct, assigned to command precinct, during absence of Acting Captain Dominick Henry, for one day, from 8 a. m., December 28, 1908.

Patrolmen—John Palmer, Two Hundred and Seventy-sixth Precinct, assigned to Third Inspection District, duty in plain clothes, for five days, from 4 p. m., December 26, 1908; Frank Boekell, Twenty-eighth Precinct, assigned to Third District Court Squad, during absence of Patrolman John Hagan on sick leave, from 8 a. m., December 27, 1908.

The following extensions of temporary assignments are hereby ordered:

Lieutenant William H. Dunn, Twenty-ninth Precinct, to Detective Bureau, Manhattan, for thirty days, from 8 a. m., December 25, 1908.

Patrolmen—Edward Wichman, Sixty-first Precinct, to First Inspection District, duty in plain clothes, for ten days, from 8 p. m., December 28, 1908; George I. Goldberg, Thirtieth Precinct, James B. Flynn, Sixty-eighth Precinct, and Charles C. Strauch, Sixty-third Precinct, to Detective Bureau, Manhattan, for thirty days, from 8 a. m., December 28, 1908; Charles Kraushaar, One Hundred and Seventieth Precinct, to Central Office Squad, duty in Bureau of Repairs and Supplies, for ten days, from 8 p. m., December 28, 1908; Patrick F. Gunn and John W. Dunn, Sixteenth Precinct, to Second Inspection District, duty in plain clothes, for ten days, from 8 p. m., December 26, 1908; Isaac Steier and William Ornstein, Thirteenth Precinct, to Eighth Inspection District, duty in plain clothes, for ten days, from 8 p. m., December 28, 1908.

To District Attorney's office, Queens County, from precincts indicated, for five days, from 8 a. m., December 26, 1908:

Patrolmen—John Orpheus, Two Hundred and Seventy-fourth Precinct; William H. Harold, Two Hundred and Seventy-fifth Precinct; William Brooks, Two Hundred and Seventy-sixth Precinct; Charles Wireman, Two Hundred and Seventy-eighth Precinct; Charles Karcher, Two Hundred and Eighty-fifth Precinct; Irving S. Coulter, Two Hundred and Eighty-first Precinct; Robert J. Armstrong, Two Hundred and Ninety-second Precinct; Henry Kuhler, Two Hundred and Ninetieth Precinct.

Doorman George P. Gilbert, One Hundred and Seventy-first Precinct, to Detective Bureau, Brooklyn, for thirty days, from 8 a. m., December 28, 1908.

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

Captains—Herman W. Schlottman, Seventh Precinct, from 2 p. m., December 27, 1908; Donald Grant, Seventeenth Precinct, from 4 p. m., December 31, 1908.

Acting Captain George E. Harrington, Two Hundred and Seventy-eighth Precinct, from 2 p. m., December 29, 1908.

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

Patrolmen—William Allan, Bureau of Electrical Service, for three days, from 2.30 p. m., December 26, 1908; Francis Cunningham, Eighth Precinct, for three days, from 12.01 a. m., December 26, 1908.

The following leaves of absence are hereby granted without pay:

Patrolmen—Lewis Owens, Eightieth Precinct, for two days, from 12.01 a. m., December 26, 1908; William H. McCauley, One Hundred and Forty-sixth Precinct, for one day, from 12 noon, December 25, 1908.

The following advancements to grades are hereby ordered:

Patrolmen.

To \$1,400 Grade—Arthur Hoffman, One Hundred and Forty-sixth Precinct, December 5, 1908; Henry Stake, Sixty-sixth Precinct, December 4, 1908.

To \$1,350 Grade, December 9, 1908—Harry Svenson, Sixty-fifth Precinct; John T. Shields, Traffic B Precinct; Peter S. Swanson, One Hundred and Fifty-sixth Precinct.

To \$1,350 Grade, December 10, 1908—Jeremiah P. O'Connor, Second Precinct; Walter J. Burke, Fourteenth Precinct; Thomas Reilly, Twenty-ninth Precinct; Thomas J. O'Flaherty, Sixty-third Precinct; Daniel G. Davine, One Hundred and Sixty-seventh Precinct; Alfred Bernard, Traffic C Precinct.

To \$1,350 Grade, December 11, 1908—William A. Tomford, One Hundred and Sixty-fifth Precinct; Patrick Cunningham, Two Hundred and Seventy-fifth Precinct; John F. Rotchfor, Detective Bureau, Manhattan.

To \$1,350 Grade—Michael J. Rouse, Twenty-sixth Precinct, December 17, 1908; Charles A. Buncel, One Hundred and Fifty-sixth Precinct, December 17, 1908; Alfred J. Benfer, Fortieth Precinct, December 13, 1908; James P. Hickey, Sixth Precinct, December 16, 1908.

To \$1,250 Grade—John H. Feeley, Twenty-eighth Precinct, October 27, 1908.

To \$1,150 Grade, December 11, 1908—John Carey, Tenth Precinct; George A. Miller, Fifteenth Precinct; Charles Puhse, Sixteenth Precinct; James Sweeney, Thirty-sixth Precinct; Jeremiah Meany, Thirty-ninth Precinct; James J. Lambert, One Hundred and Forty-third Precinct; William L. Young, One Hundred and Fifty-sixth Precinct; Godfrey L. Jensen, One Hundred and Sixty-fourth Precinct; Herman Hollman, One Hundred and Sixty-fourth Precinct; William R. White, Traffic B Precinct.

To \$1,150 Grade—Patrick McGrath, One Hundred and Fifty-ninth Precinct, November 20, 1908.

To \$1,000 Grade, December 18, 1908—Henry J. Goodwin, First Precinct; Daniel J. Twomey, Second Precinct; Charles A. Mulligan, Sixth Precinct; Henry H. Mehl, Sixth Precinct; Henry A. Dawson, Seventh Precinct; Peter J. Lynch, Eighth Precinct; John J. Dougherty, Eighth Precinct; Thomas J. Murphy, Tenth Precinct; Thomas J. McAdam, Tenth Precinct; Dennis T. Cash, Fourteenth Precinct; William H. Foley, Fifteenth Precinct; Michael F. Connaughton, Fifteenth Precinct; Louis Woerner, Twenty-first Precinct; Patrick F. McLaughlin, Thirty-first Precinct; Samuel S. Bierman, Thirty-first Precinct; William A. Walsh, Thirty-fifth Precinct; Charles

West, Thirty-ninth Precinct; John G. McPadden, One Hundred and Forty-seventh Precinct; Arthur A. Kemp, One Hundred and Fifty-fourth Precinct; John C. Hecht, One Hundred and Fifty-eighth Precinct; Warren N. Williamson, One Hundred and Sixty-first Precinct; Francis E. Gilmartin, One Hundred and Sixty-ninth Precinct; Charles A. Hanneman, Two Hundred and Seventy-seventh Precinct; William J. Crerend, Two Hundred and Eighty-fifth Precinct; Magella E. Steinle, Detective Bureau, Brooklyn; Richard G. Kirby, Bureau of Electrical Service.

To \$1,000 Grade—Edward B. Turner, Sixty-eighth Precinct, December 19, 1908.

To \$900 Grade, December 19, 1908—Louis E. Riebling, Fifth Precinct; Edward Castano, Tenth Precinct; Jeremiah R. O'Connor, Tenth Precinct; Martin Kennedy, Twelfth Precinct; Peter Donohue, Twelfth Precinct; James M. O'Brien, Fourteenth Precinct; Thomas J. Meehan, Seventeenth Precinct; John F. Pryor, Twenty-second Precinct; John L. Shanley, Twenty-second Precinct; Henry Wangerman, Twenty-fifth Precinct; Wilson H. Mowdy, Twenty-eighth Precinct; Peter W. Bertrand, Twenty-ninth Precinct; John J. Skelly, Thirty-second Precinct; John Hodur, Thirty-second Precinct; Patrick Reilly, Thirty-ninth Precinct; William H. Hough, Thirty-ninth Precinct; John Loughman, Forty-third Precinct; Davis E. Hapenny, Eightieth Precinct; Manning Decker, Eighty-first Precinct; Isaac Jacob, One Hundred and Fiftieth Precinct; Henry Thomas, One Hundred and Fifty-ninth Precinct; Patrick Curtin, One Hundred and Fifty-second Precinct; Joseph A. Cook, One Hundred and Fifty-third Precinct; Isaac R. Glaudel, One Hundred and Fifty-fourth Precinct; George T. Cooper, One Hundred and Fifty-fifth Precinct; Edward P. Fream, One Hundred and Fifty-eighth Precinct; Joseph F. Farrell, One Hundred and Fifty-eighth Precinct; Fred Kohberger, One Hundred and Seventieth Precinct; Charles E. Shultz, One Hundred and Seventy-first Precinct; John J. Whalen, One Hundred and Seventy-second Precinct; William Fox, Two Hundred and Seventy-fifth Precinct.

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

Detective James J. Gegan, Detective Bureau, lost Police shield; one day.

Patrolmen—Percy F. Simons, First Precinct, absent without leave; three days. Percy F. Simons, First Precinct, absent without leave; five days. Percy F. Simons, First Precinct, failed to procure new winter uniform coat and trousers; failed to report as ordered; one day. Patrick Kennedy, First Precinct, did not properly patrol; one day. Matthew McCormack, First Precinct, loitering; absent from post; failed to obtain permission; failed to make entry in memorandum book; two days. John Higgins, Second Precinct, failed to report at expiration of vacation; one day. James F. Murphy, Eighth Precinct, absent from post; one day. James E. Drexler, Thirteenth Precinct, absent from post in liquor saloon; failed to obtain permission to leave post; twenty days. Michael Horan, Thirteenth Precinct, absent from post; failed to obtain permission to leave post; failed to report absence; ten days. Edward J. Shoemaker, Thirteenth Precinct, absent from post; failed to obtain permission to leave post; failed to report absence; ten days. Joseph H. Miller, Thirteenth Precinct, failed to prevent, discover or report burglary; one day. Anthony Palmer, Thirteenth Precinct, absent from post in liquor saloon; failed to obtain permission to leave post; failed to report absence; fourteen days. Edward Carroll, Fourteenth Precinct, absent from post; failed to obtain permission to leave post; failed to make entry in memorandum book; five days. William A. Podolak, Fourteenth Precinct, did not properly patrol; one day. Cornelius J. Driscoll, Fifteenth Precinct, did not properly patrol; one day. John Meislohn, Sixteenth Precinct, did not properly patrol; one day. Robert A. McAdam, Sixteenth Precinct, absent from outgoing rollcall; one day. John McMahon, Sixteenth Precinct, absent from post; failed to obtain permission to leave post; failed to make report; five days. Thomas J. Carmody, Sixteenth Precinct, absent from post; failed to obtain permission; failed to make entry in memorandum book; one day. Frank L. Malone, Eighteenth Precinct, absent from post, coming from side door of liquor saloon; ten days. Frank L. Malone, Eighteenth Precinct, absent from school crossing; absent from post, coming from side door of liquor saloon; five days. William F. Carey, Twenty-fifth Precinct, carelessly lost Police shield; one day. Frank Early, Twenty-eighth Precinct, did not properly patrol; absent from relieving point; one day. James Brennan, Thirty-second Precinct, failed to patrol portion of post; three days. William A. Brown, One Hundred and Eighty-fourth Precinct, loitering and in conversation; permitted bottle containing spirituous liquor to remain in shelter house; one day. Gustave F. Schneider, One Hundred and Eighty-fourth Precinct, loitering and in conversation; permitted bottle containing spirituous liquor to remain in shelter house; one day. Peter Weigand, Traffic Precinct A, failed to regulate traffic; one day. Bernard Murphy, Traffic Precinct C, absent from post; one day. Charles B. Reilly, One Hundred and Fifty-fifth Precinct, absent without leave; one day. Elmer S. Joseph, One Hundred and Fifty-ninth Precinct, did not properly patrol; one day. Peter F. Essig, One Hundred and Sixtieth Precinct, absent from post on adjoining post; two days. James McGee, One Hundred and Sixtieth Precinct, absent from post; one day. John F. Carroll, One Hundred and Sixty-second Precinct, carelessly lost Police shield; one day. Charles N. Tichenor, One Hundred and Sixty-second Precinct, did not properly patrol; one day. Edward J. O'Connor, One Hundred and Seventieth Precinct, absent from post; one day. Edward J. O'Connor, One Hundred and Seventieth Precinct, did not properly patrol; one day. Edward J. O'Connor, One Hundred and Seventieth Precinct, did not properly patrol; one day. George Nolan, One Hundred and Seventy-first Precinct, absent without leave; one day. Frederick Redlein, Two Hundred and Seventy-fifth Precinct, did not properly patrol; one day. Frederick Redlein, Two Hundred and Seventy-fifth Precinct, did not properly patrol; one day. Michael Fannon, Two Hundred and Seventy-sixth Precinct, did not properly patrol; two days.

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

Patrolmen—William J. Verlin (2 charges), First Precinct; August G. Kaltenmeier, First Precinct; William J. Garvey, First Precinct; Jeremiah O'Leary, First Precinct; Michael Connolly, First Precinct; Patrick Mangan, First Precinct; Percy F. Simons (3 charges), First Precinct; Harry J. Murtha (2 charges), Second Precinct; William J. Dougherty, Second Precinct; William R. Black, Second Precinct; Henry Schanikow, Second Precinct; William J. Tjarks, Second Precinct; Henry Close, Second Precinct; George F. Schaff, Fifth Precinct; Henry A. Henck, Fifth Precinct; George Little, Fifth Precinct; Joseph Allen, Fifth Precinct; George W. Hoffman, Fifth Precinct; Baxter G. Stephenson, Sixth Precinct; Walter J. Murphy, Sixth Precinct; John J. Donohue, Seventh Precinct; Edward Joyce (2 charges), Seventh Precinct; Otto Klicpera, Seventh Precinct; John A. Logomarsini, Seventh Precinct; Joseph P. Krueers, Eighth Precinct; Dominick J. Roane, Eighth Precinct; William Ranges, Eighth Precinct; James Murphy, Eighth Precinct; Henry Dettmer, Ninth Precinct; James A. Black, Ninth Precinct; Nathan Whitman, Ninth Precinct; George C. Geibel, Ninth Precinct; William J. Hogan, Ninth Precinct; John E. McGloin, Ninth Precinct; Michael Carroll, Ninth Precinct; William J. Gould, Tenth Precinct; John J. Quigley, Twelfth Precinct; Thomas J. McCartney, Twelfth Precinct; Frederick Ruppel, Thirteenth Precinct; Joseph W. Buck, Fourteenth Precinct; Cornelius Manning, Fourteenth Precinct; Abraham Bernstein, Fifteenth Precinct; Max E. O. Ermisch, Fifteenth Precinct; William J. Falvey, Fifteenth Precinct; Henry C. Koster (3 charges), Sixteenth Precinct; Michael J. Coyne, Sixteenth Precinct; Thomas Carmody (3 charges), Sixteenth Precinct; Martin A. Early, Sixteenth Precinct; Hugh P. McKeon, Sixteenth Precinct; Edward Thompson, Sixteenth Precinct; Martin O'Connor (2 charges), Sixteenth Precinct; Edward L. Collins, Sixteenth Precinct; George Reis, Sixteenth Precinct; Daniel E. Keenan, Sixteenth Precinct; John F. Elliott, Sixteenth Precinct; Charles E. Carlton, Sixteenth Precinct; George Kalb, Sixteenth Precinct; Dennis G. Graney, Seventeenth Precinct; Thomas J. Hickey, Sixteenth Precinct; Henry M. Gonder, Eighteenth Precinct; Charles F. Busse, Seventeenth Precinct; Peter F. Reid, Eighteenth Precinct; James J. Sheehy (2 charges), Eighteenth Precinct; John J. Mara, Eighteenth Precinct; Vincent E. Valentine, Eighteenth Precinct; William H. Fordham, Eighteenth Precinct; John P. Knowles, Eighteenth Precinct; Joseph E. Monahan, Nineteenth Precinct; George Wetzel, Nineteenth Precinct; Henry Kirchhoff, Twenty-first Precinct; Christian T. Muhlbach, Nineteenth Precinct; Edward Moraghan, Twenty-second Precinct; William J. Dempsey, Twenty-first Precinct; Andrew Verte-feulle, Twenty-second Precinct; William H. Logan, Twenty-second Precinct; Max C. Hofer, Twenty-third Precinct; Henry H. Russell, Twenty-second Precinct; John McDermott, Twenty-third Precinct; Henry J. Haggerty, Twenty-third Precinct; Isaac Oppenheimer, Twenty-fifth Precinct; Daniel H. Crosby, Twenty-third Precinct; Edward Mann, Twenty-sixth Precinct; Bernard B. Goldstein, Twenty-fifth Precinct; Joseph A. Murray, Twenty-sixth Precinct; Edward F. Judge, Twenty-sixth Precinct; Joseph P. Conway, Twenty-eighth Precinct; Louis Cohen, Twenty-sixth Precinct; Cornelius Link, Twenty-eighth Precinct; Joseph J. Craig (2 charges), Twenty-eighth Precinct; Francis J. M. Buckley, Twenty-ninth Precinct; Michael Hession, Twenty-ninth Pre-

cinct; John P. Shaughnessy, Twenty-ninth Precinct; Paul J. Keller, Twenty-ninth Precinct; William F. Keller, Thirty-ninth Precinct; Tracy L. Roosa, Twenty-ninth Precinct; Gustave F. Schneider, One Hundred and Eighty-fourth Precinct; Joseph C. Albert, Thirty-ninth Precinct; Charles Reilly, Traffic Precinct A; William J. O'Connor, Traffic Precinct A; Angus Beaton, Traffic Precinct A; Robert Lorentz, Traffic Precinct A; Joseph D. O'Brien, Traffic Precinct A; William T. Riley, Traffic Precinct A; James Hanlon, Traffic Precinct A; Charles Turner, Traffic Precinct A; John Bridegroom, Traffic Precinct A; Esmond F. Grey, Traffic Precinct A; Daniel Shine, Traffic Precinct B; Matthew Jennings, Traffic Precinct A; Patrick Calligan, Traffic Precinct B; Robert J. Hamilton, Traffic Precinct B; Bernard Murphy, Traffic Precinct C; James Tobin, Traffic Precinct C; Edward F. Rohan, Bureau of Electrical Service; John J. Sexton, Bureau of Electrical Service; Charles W. Redden, One Hundred and Forty-ninth Precinct; John C. McGrath, One Hundred and Forty-third Precinct; Andrew J. Webb, One Hundred and Sixty-first Precinct; Patrick McGrath, One Hundred and Fifty-ninth Precinct; John Cotter, Traffic Precinct D; Alphonse J. Nichols, One Hundred and Sixty-seventh Precinct.

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

Captain Christian Reimels, One Hundred and Fifty-third Precinct.

Detective Robert Powers, Detective Bureau, Brooklyn.

Patrolmen—Edward J. Donnelly, Second Precinct; Edward F. Smith, Fifth Precinct; Jeremiah Sullivan, Sixth Precinct; John Campbell, Sixth Precinct; Giuseppe Caravetti, Sixth Precinct; John H. Kavanagh, Sixth Precinct; Charles A. Elias, Seventh Precinct; Otto Klicpera, Seventh Precinct; Joseph Callaghan, Tenth Precinct; Charles Katz, Jr., Tenth Precinct; James B. Begley, Tenth Precinct; Thomas Kenny, Thirteenth Precinct; Frederick Ruppel, Thirteenth Precinct; Robert E. Ferdon, Fifteenth Precinct; Anthony J. Sadlo, Twenty-first Precinct; Louis Cohen, Twenty-sixth Precinct; Henry Haverkamp, One Hundred and Forty-third Precinct; Richard F. O'Leary, One Hundred and Forty-third Precinct; Harry A. Reuling, One Hundred and Fiftieth Precinct; Glen Lampkin, One Hundred and Forty-ninth Precinct; John W. Szpantowicz, One Hundred and Fifty-ninth Precinct; William J. Hunt, One Hundred and Fifty-third Precinct; Joseph J. Craig, One Hundred and Sixty-fourth Precinct; William R. Bereczk, One Hundred and Sixty-second Precinct; Walter Molen, One Hundred and Sixty-eighth Precinct; James Sweeney, One Hundred and Sixty-eighth Precinct; Henry J. Klein, One Hundred and Sixty-ninth Precinct; Thomas B. McEnroe, One Hundred and Sixty-eighth Precinct; T. Louis Murtagh, Two Hundred and Eighty-second Precinct; William H. McFall, Two Hundred and Seventy-fourth Precinct; Edward Drum, Traffic Precinct C; Jerome F. Brenneis, First District; William W. Kimmey, First Court.

Probationary Patrolman Edward A. Ruppel.

Suspended from duty without pay:

Patrolman George H. J. McCabe, Fifteenth Precinct, to take effect 2.30 p. m., December 26, 1908.

The following member of the Force having been tried on charges before a Deputy Commissioner and found guilty, he is hereby dismissed from the Police Force of The City of New York, to take effect 3.40 p. m., December 26, 1908:

Patrolman George H. J. McCabe, Fifteenth Precinct. Charges: Neglect of duty, intoxication, conduct unbecoming an officer.

The appointments of the following Special Patrolmen are hereby revoked:

Joseph N. Burns, employed by Mrs. A. L. Goldstein, Webster Hall, No. 119 East Eleventh street, Manhattan.

Michael Novellino, employed by Carmine Bifalco, No. 15 Withers street, Brooklyn. THEO. A. BINGHAM, Police Commissioner.

#### POLICE DEPARTMENT.

December 29, 1908.

The following proceedings were this day directed by the Police Commissioner:

Bids for furnishing all the labor and materials required in making and completing electric light and power installation throughout Police Department stable Nos. 153 and 155 East Thirty-second street, in the Borough of Manhattan, were this day opened and read as follows:

Peet & Powers, No. 45 West Thirty-fourth street.....	\$936 00
Jandous Electric Equipment Company, No. 111 West Thirtieth street.....	974 50
Fidelity Electric Contracting Company, No. 145 West One Hundred and Forty-third street.....	1,060 00
Fredk. Pearce Company, No. 18 Rose street.....	1,160 00

On reading and filing report of the Chief Clerk,

Ordered, That the contract for furnishing all the labor and materials required in making and completing electric light and power installation throughout Police Department stable Nos. 153 and 155 East Thirty-second street, in the Borough of Manhattan, in accordance with specifications therefor, be and is hereby awarded to Peet & Powers, No. 45 West Thirty-fourth street, for the sum and price of \$936, they being the lowest bidders, and that the Police Commissioner execute such contract on the approval of sureties by the Comptroller.

On reading and filing certified copy, dated December 28, 1908, of the conviction of James J. Mannix, a Patrolman in the Police Department of The City of New York; of felony, in the County Court of Kings County.

Ordered, That, in pursuance of the provisions of the Greater New York Charter, James J. Mannix, a Patrolman of the One Hundred and Forty-eighth Precinct, be and is hereby dropped from the roll of membership in the Police Force of the Police Department of The City of New York.

Ordered to Be Paid.

Contingent expenses of Police Headquarters, etc., 1908.....	\$186 75
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#### Masquerade Ball Permits Granted.

F. L. Remey, Central Park Dancing Academy, Manhattan, December 31; fee \$10.  
W. Peterson, Suomi Hall, Manhattan, December 31; fee \$10.  
F. P. Coughlin, Lincoln Square Palace, Manhattan, December 31; fee \$10.  
M. Benjamin, New Star Casino, Manhattan, December 31; fee \$25.  
Mrs. Kahn, Harlem Casino, Manhattan, January 2; fee \$25.  
A. Phillips, Mannerchor Hall, Manhattan, January 6; fee \$25.  
J. Hauser, Tammany Hall, Manhattan, January 8; fee \$25.  
J. J. Weisenfeld, Tammany Hall, Manhattan, January 9; fee \$25.  
W. J. Harvey, Manhattan Casino, Manhattan, January 9; fee \$25.  
S. Schnivitz, Grand Central Palace, Manhattan, January 9; fee \$25.  
A. Hollander, Arlington Hall, Manhattan, January 9; fee \$25.  
J. I. Zelezny, Lyric Hall, Manhattan, January 22; fee \$10.  
W. H. Lawrence, Teutonia Assembly Rooms, Manhattan, January 30; fee \$25.  
J. Hauser, Tammany Hall, Manhattan, February 3; fee \$25.  
E. C. Howard, New Amsterdam Opera House, Manhattan, February 12; fee \$25.  
W. M. Weaver, Hoffman's Casino, The Bronx, December 31; fee \$10.  
C. H. Johnson, Johnson's Shore Road Casino, Brooklyn, December 31; fee \$10.  
B. Knobloch, Stauch's Hall, Brooklyn, December 31; fee \$10.  
A. Rosenberg, Teutonia Hall, Brooklyn, January 1; fee \$10.  
J. A. Oprey, Schwaben Hall, Brooklyn, January 2; fee \$10.  
J. F. Mulcahy, Prospect Hall, Brooklyn, January 2; fee \$10.  
J. G. Roeder, Prospect Hall, Brooklyn, January 14; fee \$10.  
W. D. Kelle, Prospect Hall, Brooklyn, January 20; fee \$10.  
P. Meissle, Knabs Hall, Queens, December 31; fee \$10.  
C. Schwartz, Broadway Hall, Queens, January 9; fee \$10.

Special Order No. 331, relative to parade, was this day promulgated by the Police Commissioner.

Special Order No. 332, issued this day, is hereby made part of the proceedings of the Police Commissioner.

Special Order No. 332.

The following resignation is hereby accepted, to take effect 10.20 a. m., December 26, 1908:

Patrolman Clarence Wilson, Eighteenth Precinct.

The following transfers and assignments are hereby ordered, to take effect 8 a. m., December 31, 1908:

Captain Charles C. Wendell, from One Hundred and Eighty-second Precinct to Two Hundred and Seventy-eighth Precinct.

Transferred from One Hundred and Eighty-second Precinct to precincts indicated: Lieutenants—John C. Schmid, One Hundred and Sixty-fifth Precinct; Thomas Walsh, One Hundred and Sixty-seventh Precinct, and James M. Walsh, One Hundred and Seventieth Precinct.

Sergeants—James P. Brady, One Hundred and Forty-eighth Precinct; Albert L. Duffy, One Hundred and Fifty-fifth Precinct; Joseph Baker, One Hundred and Seventieth Precinct, and Thomas F. Dwyer, One Hundred and Forty-seventh Precinct.

Patrolmen—Patrick Donnelly, One Hundred and Fifty-seventh Precinct; Henry P. Kelly, One Hundred and Fifty-fifth Precinct; John S. Reilly, One Hundred and Fifty-sixth Precinct, and John Sweeney, One Hundred and Fifty-first Precinct.

Doorman James Wren, One Hundred and Fifty-third Precinct.

Transferred from One Hundred and Eighty-second Precinct to Twelfth Inspection District, and assigned to duty as follows:

Lieutenant John A. Butler, District Attorney's office, Queens.

Sergeant George S. Wheeler, District Attorney's office, Queens.

Patrolmen—George Bolton, District Attorney's office, Queens; John J. Gerity, Corporation Counsel's office, Queens; Charles A. Flanagan, Department of Taxes, Queens; James Geoghegan, Board of Elections, Queens; James Burke, First District Court, Queens; Richard Cahill, First District Court, Queens; Jeremiah Cross, First District Court, Queens; James Derrick, Second District Court, Queens; Stephen Cloonan, Third District Court, Queens; William Moore, Third District Court, Queens; Owen Kavanagh, as Probation Officer to Magistrate Smith; James O. Regan, as Probation Officer to Magistrate Connolly; Neal Sullivan, as Probation Officer to Magistrate Gilroy, and William Allen, as Probation Officer to Magistrate Fitch.

Transferred from One Hundred and Eighty-second Precinct to Brooklyn Borough Headquarters Squad, Borough Inspector's office, and assigned to duty as follows:

Sergeant John Kessel, Borough President's office, Brooklyn.

Patrolmen—John S. Finn, Corporation Counsel's office, Brooklyn; James McGovern, Corporation Counsel's office, Brooklyn; Philip Walsh, Corporation Counsel's office, Brooklyn; Daniel Flannery, Department of Taxes, Brooklyn; James Gallagher, Department of Taxes, Brooklyn; Daniel J. Keefe, Department of Taxes, Brooklyn; Patrick Weldon, Department of Taxes, Brooklyn; Joseph W. Goodale, Board of Elections, Brooklyn; Edgar P. Ellis, County Court House, Brooklyn; John Ward, County Court House, Brooklyn; James V. Short, Department of Public Charities, Brooklyn; Henry E. States, Appellate Court, Brooklyn; Edward J. O'Brien, Commissioner of Jurors, Brooklyn; Patrick Solan, Probation Officer to Magistrate Dooley; Edward B. Coleman, Probation Officer to Magistrate Higginbotham, and James Gibbons, Probation Officer to Magistrate Furlong.

Transferred from precincts to Inspection Districts indicated, duty at Court designated.

To Eighth Inspection District, duty at Special Sessions, Brooklyn:

Sergeant Thomas O'Brien, One Hundred and Forty-eighth Precinct.

Patrolmen—Gerald F. Byrnes, One Hundred and Eighty-second Precinct; Thomas Guider, One Hundred and Eighty-second Precinct; John F. Mulraney, One Hundred and Eighty-second Precinct; Edward Ennis, One Hundred and Eighty-second Precinct; Frederick Hollenbach, One Hundred and Eighty-second Precinct; Edward C. Wicks, One Hundred and Eighty-second Precinct.

To Eighth Inspection District, duty at Children's Court, Brooklyn:

Sergeant George J. Flushing, One Hundred and Eighty-second Precinct.

Patrolmen—Michael Ansbro, One Hundred and Eighty-second Precinct; Michael Owens, One Hundred and Eighty-second Precinct; Arthur G. Breill, One Hundred and Eighty-second Precinct; John F. Scanlon, One Hundred and Eighty-second Precinct.

To Eighth Inspection District, duty at First District Court, Brooklyn:

Patrolmen—Edward F. Lang, One Hundred and Eighty-second Precinct; John T. McCarthy, One Hundred and Eighty-second Precinct; Alexander McGivney, One Hundred and Eighty-second Precinct; James Mullins, One Hundred and Eighty-second Precinct; Owen McCaffrey, One Hundred and Eighty-second Precinct.

To Eighth Inspection District, duty at Second District Court, Brooklyn:

Sergeant John A. Goodwin, One Hundred and Fifty-fifth Precinct.

Patrolmen—Thomas G. Buckley, One Hundred and Eighty-second Precinct; James Muldoon, One Hundred and Eighty-second Precinct; Michael O'Connell, One Hundred and Eighty-second Precinct; Andrew J. Smith, One Hundred and Eighty-second Precinct; James Fitzmorris, One Hundred and Eighty-second Precinct; Michael Nolan, One Hundred and Eighty-second Precinct; Thomas Ryan, One Hundred and Eighty-second Precinct.

To Eighth Inspection District, duty at Ninth District Court, Brooklyn:

Sergeant Joseph Furlong, One Hundred and Forty-seventh Precinct.

Patrolmen—George W. Bates, One Hundred and Eighty-second Precinct; George Brennan, One Hundred and Eighty-second Precinct; Albert R. Smith, One Hundred and Eighty-second Precinct; Thomas F. Balfe, One Hundred and Eighty-second Precinct; Francis P. Ryan, One Hundred and Eighty-second Precinct.

To Ninth Inspection District, duty at Third District Court, Brooklyn:

Sergeant Patrick Hackett, One Hundred and Sixty-sixth Precinct.

Patrolmen—Nicholas Carroll, One Hundred and Eighty-second Precinct; Patrick J. Foley, One Hundred and Eighty-second Precinct; James J. McQuillen, One Hundred and Eighty-second Precinct; James S. Dorney, One Hundred and Eighty-second Precinct; Joseph P. Hempstead, One Hundred and Eighty-second Precinct.

To Ninth Inspection District, duty at Sixth District Court, Brooklyn:

Sergeant Michael Lane, One Hundred and Seventieth Precinct.

Patrolmen—Michael Collins, One Hundred and Eighty-second Precinct; William J. Hurley, One Hundred and Eighty-second Precinct; Robert Roy, One Hundred and Eighty-second Precinct; John Haueritt, One Hundred and Eighty-second Precinct; George Riegel, One Hundred and Eighty-second Precinct.

To Tenth Inspection District, duty at Fourth District Court, Brooklyn:

Sergeant James M. Boyle, Seventeenth Precinct.

Patrolmen—Patrick Battam, One Hundred and Eighty-second Precinct; Francis O'Kane, One Hundred and Eighty-second Precinct; Joseph J. McMahon, One Hundred and Eighty-second Precinct; Joseph Oenhausen, One Hundred and Eighty-second Precinct.

To Tenth Inspection District, duty at Fifth District Court, Brooklyn:

Sergeant Joseph Riley, Two Hundred and Eighty-second Precinct.

Patrolmen—Nicholas Benson, One Hundred and Eighty-second Precinct; Frank Carpenter, One Hundred and Eighty-second Precinct; Patrick J. O'Donnell, One Hundred and Eighty-second Precinct; William R. Cale, One Hundred and Eighty-second Precinct; Samuel A. Muldoon, One Hundred and Eighty-second Precinct.

To Eleventh Inspection District, duty at Seventh District Court, Brooklyn:

Patrolmen—Peter Dalton, One Hundred and Eighty-second Precinct; William Whalen, One Hundred and Eighty-second Precinct; Joseph Murtha, One Hundred and Eighty-second Precinct.

To Eleventh Inspection District, duty at Tenth District Court, Brooklyn:

Sergeant James M. Lunny, One Hundred and Forty-fourth Precinct.

Patrolmen—William J. Dunn, One Hundred and Eighty-second Precinct; Thomas F. Tracy (No. 1), One Hundred and Eighty-second Precinct; Peter Richter, One Hundred and Eighty-second Precinct; Thomas F. Tracy (No. 2), One Hundred and Eighty-second Precinct.

To Fifteenth Inspection District, duty at Eighth District Court, Brooklyn:

Patrolmen—Patrick W. Deane, One Hundred and Eighty-second Precinct; John J. McDonald, One Hundred and Eighty-second Precinct; John J. McGovern, One Hundred and Eighty-second Precinct, and Michael Dougherty, One Hundred and Eighty-second Precinct.

To take effect 8 a. m., December 31, 1908:

Lieutenant—George E. Harrington, Two Hundred and Seventy-eighth Precinct, designation as Acting Captain discontinued, and transferred to One Hundred and Fifty-seventh Precinct.

To take effect 8 p. m., December 30, 1908:

Patrolman—George W. Youle, from One Hundred and Eighty-fourth Precinct to Sixty-first Precinct.

The following temporary assignments are hereby ordered:

Lieutenants—John T. Howard, Nineteenth Precinct, assigned to command precinct, during absence of Captain Cornelius G. Hayes, for one day, from 12 noon, December

30, 1908; Patrick J. Lane, Second Precinct, assigned to command precinct, during absence of Captain Edward Gallagher, for one day, from 8 a. m., December 30, 1908; John McDermott, Thirty-sixth Precinct, assigned to command precinct, during absence of Captain Frederick G. Carson, for one day, from 12 noon, December 30, 1908; James McCormick, One Hundred and Fifty-third Precinct, assigned to command precinct, during absence of Captain Christian Reimels, for one day, from 8 a. m., December 30, 1908; John H. Cook, Ninety-ninth Precinct, assigned to command precinct, during absence of Captain Joseph C. Gehegan on sick leave, from 8.30 p. m., December 26, 1908; John T. Lake, One Hundred and Sixty-fifth Precinct, assigned to command precinct during absence of Captain Isaac Frank at Court, from 8 a. m., December 29, 1908.

Sergeants—John A. Kenny, Traffic Precinct A, and John Barry, Traffic Precinct B, assigned to Traffic Precinct C, for strike duty, from 8 a. m., December 28, 1908. Patrolman Charles Kensler, Fourth Inspection District, assigned to Twenty-sixth Precinct, for clerical duty, during absence of Patrolman John W. McCoy, for three days, from 12.01 a. m., December 28, 1908.

The following extensions of temporary assignments are hereby ordered:

Sergeant Guido W. Bock, Twenty-third Precinct, to Fourteenth Inspection District, for clerical duty, for ten days, from 10 a. m., January 2, 1909.

Patrolmen—John J. O'Brien, Thirty-ninth Precinct, to Central Office Squad, duty in Bureau of Repairs and Supplies, for thirty days, from 8 a. m., December 29, 1908; John Watson and Charles F. Figge, Thirty-first Precinct, to Eighth Inspection District, duty in plain clothes, for ten days, from 8 a. m., December 29, 1908.

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

Captains—Edward Gallagher, Second Precinct, from 3 p. m., January 1, 1909; John F. O'Connor, Tenth Precinct, from 4.30 p. m., January 1, 1909, with permission to leave city; Sylvester D. Baldwin, Fourteenth Precinct, from 11 a. m., December 30, 1908, with permission to leave city; John D. Herlihy, Fifteenth Precinct, from 4 p. m., January 1, 1909; John Cooney, Thirty-first Precinct, from 4 p. m., January 1, 1909, with permission to leave city; Michael Naughton, Seventy-ninth Precinct, from 8 a. m., January 1, 1909; John L. Zimmerman, One Hundred and Fifty-first Precinct, from 8 a. m., January 1, 1909, with permission to leave city; Thomas Cullen, One Hundred and Fifty-sixth Precinct, from 12 noon, December 31, 1908; William Knipe, One Hundred and Sixty-second Precinct, from 2 p. m., January 3, 1909; Charles A. Formosa, One Hundred and Sixty-eighth Precinct, from 9 a. m., December 30, 1908, with permission to leave city; Lawrence J. Murphy, One Hundred and Seventy-third Precinct, from 1 p. m., December 30, 1908; Thomas F. Maude, Two Hundred and Seventy-fifth Precinct, from 2 p. m., December 31, 1908, with permission to leave city.

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

Patrolmen—Thomas J. Slattery, Traffic Precinct C, for three days, from 12.01 a. m., December 28, 1908, with permission to leave city; John W. McCoy, Twenty-sixth Precinct, for three days, from 12.01 a. m., December 28, 1908; Edgar B. Tallman, One Hundred and Fiftieth Precinct, for three days, from 12 noon, December 26, 1908; Joseph A. Neary, Twenty-fifth Precinct, for three days, from 12.01 a. m., December 28, 1908; Frank Lawless, One Hundred and Sixty-seventh Precinct, for one day, from 12.01 a. m., December 28, 1908; John F. O'Grady, One Hundred and Seventieth Precinct, for one day, from 12 noon, December 29, 1908; Patrick Carter, One Hundred and Sixty-first Precinct, for two days, from 12.01 a. m., December 27, 1908.

The following leaves of absence are hereby granted without pay:

Captain Isaac Frank, One Hundred and Sixty-fifth Precinct, for two days, from 12 noon, December 29, 1908.

Patrolmen—Patrick Broderick, Eleventh Inspection District, for two days, from 12 noon, December 29, 1908; William Dermody, Eleventh Inspection District, for two days, from 12 noon, December 29, 1908; Edgar B. Tallman, One Hundred and Fiftieth Precinct, for one day, from 12 noon, December 29, 1908; William F. Loeb, Eighteenth Precinct, for three days, from 12 noon, December 28, 1908.

The following member of the Force having been tried on a charge before a Deputy Commissioner, he is hereby reprimanded:

Patrolman William Stieger, One Hundred and Forty-ninth Precinct.

The following deaths are reported:

Patrolman William D. Mott, Sixty-first Precinct, at 4 p. m., December 28, 1908.

Hostler James Cornell, Fortieth Precinct, at 3.30 a. m., December 24, 1908.

The following amendment is hereby ordered:

Special Order 323, c. s., paragraph 2, to read Surgeon Henry G. Webster to assume charge of the Seventeenth Surgical District, in addition to his own district, during absence of Surgeon Thomas A. McGoldrick, from 6 p. m., December 26, 1908, until 12.01 a. m., December 31, 1908.

The following Special Patrolmen are hereby appointed:

John J. Tiernan, James C. Carroll, Miller and Thomas C. Douglas, for Holmes Electric Protective Company, No. 34 East Fourteenth street, Manhattan.

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

December 28, 1908—Peter J. Osborne for Louis Stauch, Coney Island; Samuel Donaldson, for Henry C. Stewart, Deputy Collector of Customs, Christopher and Washington streets, Manhattan; William Murray, for New York Produce Exchange Safe Deposit and Storage Company, No. 8 Beaver street, Manhattan; Louis H. Hobby, for Schieffelin & Co., No. 170 William street, Manhattan; Adolph Jacobs, for Susskind & Rehfeldt, Terrace Garden, No. 145 East Fifty-eighth street, Manhattan.

THEO. A. BINGHAM, Police Commissioner.

#### POLICE DEPARTMENT.

Sanitary Company (Boiler Squad), }  
December 26, 1908. }

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882, as amended, the following report will show the names of the persons to whom licenses were issued, class of license and location for the same, during the twenty-four hours ending 12 midnight, December 24, 1908:

##### First Class.

Thomas H. Cole, Nos. 244 to 258 Water street, Brooklyn; Martin Mulee, Nos. 120 and 122 East Fourteenth street; George P. Morris, No. 232 East Fortieth street; Alfred H. Fletcher, New Brighton, Staten Island.

##### Second Class.

Matthew F. Murphy, Clarkson street, Brooklyn; Hamilton D. Beam, Nos. 43 and 45 Walker street; Leonard Tubbs, No. 514 East One Hundred and Sixteenth street; Patrick Condon, One Hundred and Thirty-fifth street and Willow avenue; Henry L. Ochswitz, No. 28 Prince street.

##### Third Class.

Michael Kelly, Nos. 231 to 243 East Forty-seventh street; James J. Halsey, One Hundred and Fiftieth street and East River; Adolph Soderstrom, Flushing and East avenues, Brooklyn; Frank Nyman, Sunswick street and Wilbur avenue, Long Island City; Joseph M. Reis, Flushing avenue and Ingraham street, Brooklyn; Otto Atzberger, No. 811 East Ninth street; Albert Corrigan, No. 431 East One Hundred and Sixty-fifth street; Heinrich Uhrbrock, No. 20 West Sixty-first street; Patrick Brady, No. 1148 Broadway; Charles E. Goodwin, Broadway and One Hundred and Thirty-eighth street; James H. Benner, No. 2045 Broadway; John Rentel, No. 439 East One Hundred and Sixth street; Julius W. Walters, Jr., No. 1 West Fifty-seventh street.

Respectfully,

HENRY BREEN, Lieutenant in Command.

#### POLICE DEPARTMENT.

Sanitary Company (Boiler Squad), }  
December 28, 1908. }

To the Police Commissioner:

Sir—In compliance with orders relative to engineers' certificates issued by me under section 312 of chapter 410 of the Laws of 1882, as amended, the following report will show the names of the persons to whom licenses were issued, class of license and

location for the same, during the twenty-four hours ending 12 midnight, December 26, 1908:

##### First Class.

Hugh Cassidy, No. 101 Classon avenue, Brooklyn; John C. Stewart, No. 1961 Broadway; Frederick T. Mueller, No. 34 West Thirteenth street.

##### Second Class.

Rodger T. Harrison, Nos. 100 and 102 Cherry street; William Scarlett, State and Roanoke street, Far Rockaway, Long Island; Gilman Dedrick, No. 29 King street; John J. Goff, No. 523 West Forty-fourth street.

##### Third Class.

George B. Roberts, No. 170 East Seventy-seventh street; Henry B. Boysen, No. 361 Seventh avenue, Brooklyn; James G. McElroy, North Ninth street and Wythe avenue, Brooklyn; Edwin Juif, No. 497 Columbia street, Brooklyn; John J. McKeon, No. 102 West Eightieth street; James O'Connor, St. George, Staten Island; John Deanehan, No. 412 East One Hundred and Fourth street; John Tierney, No. 42 West Thirteenth street; John E. McCadden, No. 125 Sixth avenue.

Respectfully,

HENRY BREEN, Lieutenant in Command.

### DEPARTMENT OF DOCKS AND FERRIES.

New York, October 29, 1908.

The following communications were received, action being taken thereon as noted, to wit:

From the Municipal Civil Service Commission (78895)—Recertifying the name of Dennis Hickey as being eligible for appointment to the position of Marine Stoker. Hickey appointed at \$90 per month, while employed.

From the President of the Borough of Richmond (78422)—Submitting plan showing proposed extension of Harbor road and Arlington avenue, Mariners Harbor, Borough of Richmond, to the pierhead and bulkhead lines, and requesting the Department's views relative thereto. Answered that this Department has no objection to the plan at present.

From the Bureau of Buildings for the Borough of Manhattan (78688)—Calling attention to complaint made relative to the unsafe condition of the grain elevator at the foot of Sixtieth street, North River. New York Central and Hudson River Railroad Company notified to stop the use of the "marine leg" of the structure and to submit plans for repairs. Superintendent of Buildings advised as to the action taken.

From the Department of Water Supply, Gas and Electricity (78817)—Asking whether this Department has given its consent to the Snare & Triest Company to use the water meter on Pier 3, East River. Answered that the company is using the meter under permit from the Water Register.

From the Department of Correction (78682)—Requesting that a platform be constructed between the storehouse and the workhouse on the easterly side of Blackwells Island, East River. Information requested as to size of dock that would meet requirements.

From the Department of Street Cleaning (78434)—Requesting permission to erect a street cleaning dump, with overhang, on the platform being constructed between One Hundred and Fifty-seventh and One Hundred and Fifty-eighth streets, North River. Answered that this Department believes the entire bulkhead platform should be kept open for general wharfage purposes, but that the southerly side of One Hundred and Fifty-eighth street could be set aside for the erection of the dumping board.

From the State Commission of Prisons (78397)—Requesting an estimate for the ensuing year of the amount of supplies required to be purchased by this Department that can be furnished by the penal institutions of the State. Information furnished.

From the Department of Public Charities (78889)—Requesting permission to repair the storehouse dock at Blackwells Island, East River. Permit granted, work to be done under the supervision of the Chief Engineer. Order of October 27, 1908, to the Chief Engineer to do the work rescinded.

From the Asphalt Construction Company (78882)—Requesting permission to dredge the slip at the foot of One Hundred and Thirty-seventh street, Harlem River, Borough of Manhattan. Permit granted, work to be done under the supervision of the Chief Engineer.

From the Central Railroad Company of New Jersey (78842)—Requesting permission to erect an overhead footbridge across West street, leading to the ferry house, foot of Liberty street, North River. Permit granted for as much of the work as lies west of the westerly line of West street, said work to be done under the supervision of the Chief Engineer, in accordance with plans submitted.

From the New York Terminal Company (78839)—Requesting permission to repair the ferry house of the Broadway ferry, foot of Twenty-third street, East River, where damaged by fire. Permit granted, work to be done under the supervision of the Chief Engineer, the structure to be restored to its original condition.

From the New England Navigation Company (78815)—Requesting permission to erect on the bulkhead south of Pier 19, North River, a covered shanty for its telephone booths. Permit granted, work to be done under the supervision of the Chief Engineer.

From the Borough Construction Company (78828)—Requesting permission to construct an inclined approach and a covered dumping board on the southerly side of Newtown Creek, about 20 feet westerly of Apollo street, Borough of Brooklyn. Permit granted, work to be done under the supervision of the Chief Engineer, in accordance with plans submitted as amended.

From the Munson Steamship Line (78791)—Requesting permission to build a platform gangway, supported on the lower chord of the roof trusses of the pier shed on Pier 9, East River. Permit granted, the work to be done in accordance with plans submitted, as amended, and under the supervision of the Chief Engineer.

From J. C. Rodgers (78449)—Requesting permission to dredge a basin and build a temporary dock on the southerly side of Givans Creek, near Baychester, Borough of The Bronx. Permit granted, work to be done under the supervision of the Chief Engineer, in accordance with plans submitted, as amended, rental for the land under water occupied to be at the rate of \$150 per annum, payable quarterly in advance to the Cashier, the permit continuing during the pleasure of the Commissioner, but not longer than April 30, 1909.

From the New York and Rockaway Beach Transportation Company (78912)—Requesting permission to maintain, in connection with its berth thereat, a portable tally house on Pier 33, East River. Permit for berth revoked to take effect at once.

From the National Ice Company (78909)—Asking that the Department make the necessary repairs to the portion of the pier foot of One Hundredth street, Harlem River, occupied by the company. Chief Engineer directed to make the repairs and report the cost for collection.

From the International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America (78830)—Asking that boilermakers be represented in the various departments of the City government. Filed.

From Rutherford S. Moorhead (78762)—Requesting permission to maintain a marine railway upon the area now occupied by him under permit from this Department foot of Pooles lane, Sheepshead Bay, borough of Brooklyn. Denied.

From J. K. Larkin & Co. (78647)—Requesting an extension of time on Class I. of Contract No. 112 for iron and steel. Filed, the work having been completed and no extension of time being necessary.

From Israel Benjamin (78911)—Submitting statement relative to his employment as Mechanical Engineer. Filed.

From the Chief Engineer—

1 (B. O. 6111). Recommending that the permit to the Department of Water Supply, Gas and Electricity for laying water pipe under pier foot of Twenty-fourth street, East River, be revoked, said Department not desiring to do the work. Permit revoked.

2 (B. O. 4510). Recommending that the order for supplying an anchor and additional chain for mooring the U. S. S. "Aileen," as requested by the Commander of the Second Naval Battalion, N. Y., be canceled, the moorings not being required. Order canceled.

3 (78910). Reporting that Class 5 of Contract No. 1152, for rip-rap, was commenced October 27, 1908, by O'Brien Brothers. Comptroller notified.

4 (78893). Recommending that the New England Navigation Company, lessee, be directed to make the necessary repairs to the bulkhead platform northerly of Pier 40, North River. Company notified to make repairs.

From the Superintendent of Docks—

1 (78916). Reporting that on October 28, 1908, Canavan Brothers unloaded several large boulders on the marginal street area between Fifty-fifth and Fifty-sixth streets, North River. Canavan Brothers requested to remove the boulders.

2 (78901). Recommending that the permit to the McElroy Transportation Company for berth on the easterly side of Pier 18, East River, be revoked as of November 1, 1908, the date on which the Wholesale Fish Dealers' Association take possession of the premises. Permit revoked, as recommended, to take effect October 31, 1908.

3 (78915). Submitting report relative to the illness of Mrs. Elizabeth Smith, Cleaner. Department of Health requested to make an examination.

4 (78913). Submitting bond of Lawrence W. O'Connor, Dockmaster. Forwarded to Comptroller.

5 (78917). Reporting that the Sea Gate Association has discontinued landing for the season at the Battery Wharf, and recommending that the permits for the boats "Sea Gate" and "Ossining" be revoked, the former to take effect as of September 30, 1908, and the latter as of October 24, 1908. Revoked as recommended.

From the Superintendent of Ferries—

1 (78906). Recommending that Patrick Giblin be transferred from the position of Deckhand to that of Marine Stoker, and that August A. Zilkens be transferred from the position of Dock Laborer to that of Marine Stoker. Municipal Civil Service Commission requested to authorize changes.

2 (78894). Reporting that Timothy Hayes, Dock Laborer, has been absent from duty without leave since August 23, 1908. Name dropped from the list of employees.

The complaint (78826) of John J. Hayes relative to the issuance of passes over the municipal ferries to City officials and employees on official business was referred to the Corporation Counsel for advice.

The following Department order was issued:

No.	Issued To and For.	Price
24101.	Mutual Towel Supply Company, toilet supply for November, 1908, Ferry Bureau .....	\$34 75

The Department's request of October 15, 1908, for the change of certain Dock Laborers to Deckhands was withdrawn, and the Municipal Civil Service Commission was requested to authorize the change of the following Dock Laborers to the position of Deckhand.

George H. B. Cole, Henry Ewald, Timothy Madden, Thomas Shinnick, John W. Connors (No. 2), Edward Husey, Samuel Marsh, Joseph H. Hayden, John G. Cully, John B. Laroy, James J. Mulligan, Michael J. Judge, William J. Decker, Joseph Le Febvre, Emil Reutter, John J. Rohan.

DENIS A. JUDGE, Deputy and Acting Commissioner.

New York, October 30, 1908.

The following communications were received, action being taken thereon as noted, to wit:

From the Municipal Civil Service Commission (78925)—Approving the granting of a leave of absence without pay, until May 1, 1909, to John O. Van Brakle, Assistant Engineer. Filed.

From the President of the Borough of Brooklyn (78927)—Consenting to the transfer to this Department of John T. Dolan, Plumber's Helper. Municipal Civil Service Commission requested to authorize transfer.

From the Department of Health (78811)—Reporting as to the condition of Louis Dossik, Dockbuilder. Dossik ordered paid for the period of absence.

From the Commercial Coal Company (78914)—Requesting permission to extend weigh house foot of Fifty-second street, Brooklyn. Permit granted, work to be done under the supervision of the Chief Engineer.

From the New York Edison Company (78908)—Requesting permission to open granite pavement foot of West Seventy-ninth street, North River, for the purpose of installing two City lighting posts thereat. Permit granted, on usual terms, the work to be done under the supervision of the Chief Engineer.

From Wingate & Cullen, Attorneys (78832)—Giving notice of the withdrawal of the application of the Brooklyn and Canarsie Realty Company for a grant of land under water at Rockaway avenue and East Ninety-sixth street, Canarsie, Brooklyn. Filed.

From the Chief Engineer—

1 (78956). Reporting that the cost chargeable to A. G. Foster for removing piles at pier foot of East Eighteenth street, East River, and installing them at the pier foot of Twenty-first street, East River, amounts to \$393.23. Amount ordered collected from Foster.

2 (78934). Reporting that Daniel Kane, Ship Carpenter, died on October 29, 1908. Name dropped from this Department's list of employees.

3 (78169). Recommending that the Fire Department be notified to amend its plans for the proposed building on the pier foot of Thirty-fifth street, North River, so that it will not encroach on the northerly half of the pier. Filed, the plans at present showing no encroachment on the northerly half of the pier.

In accordance with the recommendation of the Chief Engineer (78497) leave of absence was granted to Nicholas Shanley, Carpenter, with pay at the rate of \$28.80 per week, for four weeks, beginning October 24, 1908.

DENIS A. JUDGE, Deputy and Acting Commissioner.

New York, October 31, 1908.

The following communications were received, action being taken thereon as noted, to wit:

From the Interborough Ice Company (78859)—Requesting permission to replace the old derrick on ice bridge at Third street, Gowanus Canal, Brooklyn, with a new one. Permit granted, work to be done under the supervision of the Chief Engineer, the derrick to remain during the pleasure of the Commissioner.

From the Chief Engineer—

1 (78939). Submitting report of work done under his charge and supervision for the week ending October 17, 1908. Filed.

2 (78955). Recommending that the Municipal Civil Service Commission be requested to hold a promotion examination from the position of Marine Sounder to that of Chainman and Rodman. Commission requested, as recommended.

From the Superintendent of Docks (78958)—Reporting that Henry C. Manson, Dock Laborer, died October 28, 1908. Name dropped from the list of employees.

The following Department orders were issued:

No.	Issued To and For.	Price.
24102.	J. Edward Ogden Company, nails and rivets.....	\$30 68
24103.	James Thompson & Sons, spruce lumber.....	130 00

The Cashier reported that the revenues from Staten Island Ferry privileges for the month of October, 1908, amounted to \$1,362.67; that the revenues from Thirty-ninth Street Ferry privileges for the month of October, 1908, amounted to \$219.75; that the Staten Island Ferry receipts for the month of October, 1908, amounted to \$50,560.30; that the Thirty-ninth Street Ferry receipts for the month of October, 1908, amounted to \$12,950.51. That moneys were received and deposited for the week ending October 31, 1908, amounting to \$41,535.39.

The Auditor reported that the following were audited and forwarded to the Finance Department for payment.

1. Claims for the week ending October 31, 1908, amounting to \$63,442.26.
2. Payroll of the Municipal Ferry force for the month of October, 1908, amounting to \$55,219.50.
3. Payroll of the Commissioner's office, Construction force, Repair and Maintenance Force, and officers and appointees for the month of October, 1908, amounting to \$33,563.94.
4. Payroll of the Municipal Ferry force for the week ending October 30, 1908, amounting to \$2,987.35.
5. Payroll of the Construction and Repair forces for the week ending October 30, 1908, amounting to \$30,498.11.

DENIS A. JUDGE, Deputy and Acting Commissioner.

### CHANGES IN DEPARTMENTS, ETC.

#### DEPARTMENT OF DOCKS AND FERRIES.

December 31—The Commissioner has appointed Joseph Calnan to the position of Pipefitter, with pay at the rate of 62½ cents per hour while employed.

#### DEPARTMENT OF FINANCE.

January 4—The salaries of the following employees of this Department have been fixed at the amounts specified, taking effect December 30, 1908:

John H. Andrews, Clerk, General Administration, Main Division, \$4,500.  
 Jacob Manheimer, Clerk, General Administration, Main Division, \$1,800.  
 William Weintraub, Clerk, Bookkeeping and Awards Division, \$1,050.  
 Joseph H. Eustace, Clerk, Bookkeeping and Awards Division, \$1,200.  
 Mary E. Murphy, Stenographer and Typewriter, Bookkeeping and Awards Division, \$1,350.  
 Michael E. Benjamin, Bookkeeper, Bookkeeping and Awards Division, \$1,350.  
 Henry H. Rathen, Accountant, Bookkeeping and Awards Division, \$2,100.  
 Joseph F. McCarthy, Clerk, Bookkeeping and Awards Division, \$1,350, to date from January 1, 1909.

Maben Griffith, Financial Clerk, Auditing Bureau, \$1,050.  
 W. F. Heffernan, Clerk, Auditing Bureau, \$1,200.  
 Charles Hoeffling, Clerk, Auditing Bureau, \$1,200.

John J. Corrigan, Clerk, Auditing Bureau, \$1,950, to date from January 1, 1909.  
 Joseph L. Hance, Auditor of Accounts, Law and Adjustment Division, \$4,000.  
 Josephine A. Meehan, Stenographer and Typewriter, Law and Adjustment Division, \$1,350.

Anna E. Slyman, Stenographer and Typewriter, Law and Adjustment Division, \$1,050.

Samuel Brock, Clerk, Bureau of Municipal Investigation and Statistics, \$2,100.  
 Clarence E. Severn, Office Boy, Bureau of Municipal Investigation and Statistics, promoted to Junior Clerk, \$480.

Catherine A. Stapleton, Stenographer and Typewriter, Bureau of Municipal Investigation and Statistics, promoted to Clerk, \$1,650.

Robert B. Jordan, Examiner, Bureau for the Examination of Claims, \$2,550.

Henry A. Boyle, Clerk, Bureau for the Collection of Taxes, Brooklyn, \$1,050.

Thomas M. Graham, Clerk, Bureau for the Collection of Taxes, Manhattan, \$1,350.

John F. Johnson, Clerk, Bureau of Assessments and Arrears, The Bronx, \$1,500.

Samuel Tick, Bureau of Assessments and Arrears, Brooklyn, \$1,200, to date from January 1, 1909.

John J. Moffitt, Office Boy, Division of Real Estate, promoted to Junior Clerk, \$540.

William J. Parrell, Auditing Bureau, Inspectors Division, \$2,100.

The following is a list of changes in the Department:

Oliver E. Stanton, No. 378 Greene avenue, Brooklyn, appointed to the position of Expert Accountant, with salary at \$4,000 per annum, taking effect January 1, 1909. Mr. Stanton has been assigned to the Bookkeeping and Awards Division. His services as Auditor of Accounts ceased December 31, 1908.

James B. Bouck, No. 394 Grand avenue, Brooklyn, appointed to the position of Auditor of Accounts in the Auditing Bureau, with salary at \$4,000 per annum, taking effect January 1, 1909. Mr. Bouck's services as Deputy Receiver of Taxes, Borough of Brooklyn, ceased December 31, 1908.

Thos. J. Drennan, No. 87 South Ninth street, Brooklyn, appointed to the position of Deputy Receiver of Taxes, Borough of Brooklyn, with salary at \$4,000 per annum, taking effect January 1, 1909. Mr. Drennan's services as Deputy Collector of Assessments and Arrears, ceased December 31, 1908.

John M. Gray, No. 244 Wyckoff street, Brooklyn, appointed Deputy Collector of Assessments and Arrears, Borough of Brooklyn, taking effect January 1, 1909, salary \$4,000. Mr. Gray's services as Collector of City Revenue and Superintendent of Markets ceased December 31, 1908.

Peter Aitken, No. 26a Hart street, Brooklyn, appointed Collector of City Revenue and Superintendent of Markets, with salary at \$4,000 per annum, taking effect January 1, 1909. Mr. Aitken's services as Expert Accountant in the Bureau

of Municipal Investigation and Statistics ceased December 31, 1908.

N. O. Fanning, No. 20 Irving place, New York, appointed to the position of Clerk to the Comptroller, with salary at \$2,100 per annum, taking effect January 4, 1909.

Halsey S. Walker, Maspeth, Long Island, appointed to the position of Expert Accountant, with salary at \$2,500 per annum, taking effect January 2, 1909. Assigned to the Bookkeeping and Awards Division.

Edward A. Higgins, No. 71 Hunter avenue, Long Island City, appointed to the position of Bank Messenger in the Queens office of the Bureau of Assessments and Arrears, with salary at \$1,200 per annum, taking effect January 2, 1909.

David Barnett, No. 348 West One Hundred and Twenty-first street, New York, appointed to the position of Clerk, formerly held by him, and assigned to the office of the City Paymaster, taking effect December 31, 1908. Mr. Barnett's salary is \$1,200 per annum.

#### PRESIDENT OF THE BOROUGH OF THE BRONX.

January 2—Death of William F. Carri-gan, Rodman in the Bureau of Sewers, on the 29th ult.

#### BUREAU OF BUILDINGS.

Borough of The Bronx.

December 31—Change in title of employees in this Bureau, to take effect this day: William R. Devine, of No. 1794 Beacon street, from Driver to Attendant, at the same salary now received by him, \$1,050 per annum; William J. McLaughlin, of No. 2162 Crotona avenue, from Messenger to Clerk, third grade, at the same salary now received by him, \$1,350 per annum.

Borough of Manhattan.

December 31—The services of the following temporary Inspectors of Elevators have been dispensed with because of insufficiency of appropriation, to take effect this date:

Charles A. Steurerwald, No. 631 Park avenue; John McClarity, No. 3 Columbus avenue; Thomas F. Meade, No. 231 West Houston street; Thomas C. Cullen, No. 509 Grand street; John C. Bernhardt, No. 447 West Fiftyth street.

The services of the following Clerks have been dispensed with because of insufficiency of appropriation, to take effect this date:

Jesse Frank, No. 233 West One Hundred and Seventh street; Walter W. White, No. 330 Monroe street; Charles F. Bennett, Jr., No. 410 East One Hundred and Forty-third street.

#### SURROGATE, KINGS COUNTY.

January 2—Appointed Miss Emma L. Henning, of No. 238 New York avenue, Brooklyn, to the position of Telephone Operator at a salary of \$750 per annum; said appointment to take effect as of January 1, 1909. Miss Henning has been employed as Laborer in this office since September 9, 1904.

January 4—Appointed Thomas F. Lantry, of No. 62 Fourth place, Brooklyn, New York, as a Laborer; said appointment to take effect as of January 1, 1909, and the salary of said Thomas F. Lantry to be at the rate of sixty dollars (\$60) per month.

#### COURT OF SPECIAL SESSIONS, FIRST DIVISION.

January 1—Charles H. Le Mon, of No. 117 West Tenth street, was this day appointed Interpreter of the Court of Special Sessions of the First Division at an annual salary of \$2,000, to take the place of Gustave Simonson, who resigned said position on this day to become one of the Interpreters of the Supreme Court.

#### BOARD OF CITY MAGISTRATES, FIRST DIVISION.

January 1—Ralph E. Roberts, of No. 215 West Twenty-third street, Manhattan, has been appointed as a Stenographer on probation in and for the City Magistrates' Courts, First Division, City of New York, in place of Frank H. Hoyt, transferred to the Municipal Courts.

#### DEPARTMENT OF PARKS.

Boroughs of Manhattan and Richmond.

January 2—Discharged, completion of work, John F. Grace, Inspector of Pipe Laying, No. 322 Greene avenue, Brooklyn.

Died, December 22, 1908, Henry B. Tyson, Carpenter, No. 414 West Fifty-fifth street.

Resigned, December 31, 1908, Ruth S. Crampton, School Farm Attendant, No. 1230 Amsterdam avenue.

Discharged, Lack of Appropriation. Stone Mason.

Michael Leonard, No. 463 West Forty-ninth street; Neil R. McLellan, No. 425 West Twenty-fourth street; Geo. Archambault, No. 322 East Eighty-third street; John Dunigan, No. 330 East Eighty-third street; John J. Slevin, No. 1475 Third avenue.

December 31—Resigned, December 31, 1908, Evelyn M. Patton Bortell, Stenographer and Typewriter, No. 287 Riverdale avenue, Yonkers.

Discharged, Expiration of Temporary Employment.

Clerk.

Emanuel E. Keyser, No. 109 West One Hundred and Thirteenth street; Henry Greenfield, No. 161 Pulaski street, Brooklyn.

Discharged, Lack of Appropriation.

Foreman of Park Laborers.

Bernard J. McGinty, No. 318 East Sixty-second street.

Bricklayer.

John J. Spooner, No. 302 West Twentieth street.

Stone Mason.

Richard J. Morrissey, No. 153 First avenue; Owen Toher, No. 2327 Cambreling avenue, The Bronx; James J. Healy, No. 335 East Fifty-second street; Luke Palomba, No. 2365 Hoffman street, The Bronx; Patrick McGrath, No. 444 East Eighty-second street; Michael J. McElroy, No. 716 Sixth avenue, Brooklyn; John Morrissey, No. 112 East Eleventh street.

Mason.

Patrick Dougherty, No. 320 East Eighty-third street; Hugh McGowan, No. 207 Twenty-third street, Brooklyn; Timothy O'Connor, No. 1127 Park avenue; Raffaelo Rivolo, No. 131 Thompson street; John McGonigle, No. 116 West Sixty-third street; John P. Cunningham, No. 228 East Eighty-first street; James Hayes, No. 1555 Second avenue; Thomas J. Carroll, No. 248 East Seventy-seventh street; John Lynch, No. 420 East Eighty-second street.

Stationary Engineer.

John E. Baker, No. 1275 Franklin avenue.

#### COMMISSIONERS OF ACCOUNTS.

January 2—Transferred to City Court, Philip Lindeman, Clerk, at \$1,650 per annum; to take effect January 3, 1909.

Services discontinued, to take effect at close of business December 31, 1908:

Temporary Accountant, at \$2,100 Per Annum.

William B. Van Dyke, Helmuth I. A. Sommer, Chas. S. Tucker, Albert F. Dillman, Joseph H. Dorn, Rowland C. Turner, Geo. R. Hilty.



#### OFFICIAL DIRECTORY.

STATEMENT OF THE HOURS DURING which the Public Offices in the City are open for business and at which the Courts regularly open and adjourn as well as the places where such offices are kept and such Courts are held, together with the heads of Departments and Courts

#### CITY OFFICES.

##### MAYOR'S OFFICE.

No. 5 City Hall, 9 a. m. to 4 p. m.; Saturdays a. m. to 12 m.  
Telephone, 8020 Cortlandt.  
GEORGE B. MCCLELLAN, Mayor.  
Frank M. O'Brien, Secretary.  
William A. Willis, Executive Secretary.  
James A. Rierdon, Chief Clerk and Bond and Warrant Clerk.

BUREAU OF WEIGHTS AND MEASURES.  
Room 7, City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 8020 Cortlandt.  
Patrick Derry, Chief of Bureau.

BUREAU OF LICENSES.  
9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 8020 Cortlandt.  
Francis V. S. Oliver, Jr., Chief of Bureau.  
Principal Office, Room 1, City Hall.  
Branch Office, Room 12, Borough Hall, Brooklyn.  
Branch Office, Richmond Borough Hall, Room 23, New Brighton, S. I.  
Branch Office, Hackett Building, Long Island City, Borough of Queens.

#### AQUEDUCT COMMISSIONERS.

Room 207, No. 280 Broadway, 5th floor, 9 a. m. to 4 p. m.  
Telephone, 1942 Worth.  
The Mayor, the Comptroller, ex-officio, Commissioners John F. Cowan (President), William H. Ten Eyck, John J. Ryan and John P. Windolph; Harry W. Walker, Secretary; Walter H. Sears, Chief Engineer.

#### ARMORY BOARD.

Mayor George B. McClellan, the Comptroller, Herman A. Metz, the President of the Board of Aldermen, Patrick F. McGowan, Brigadier-General George Moore Smith, Brigadier-General John G. Eddy, Captain J. W. Miller, the President of the Department of Taxes and Assessments, Lawson Purdy.

Harrie Davis, Secretary, Room 6, Basement, Hall of Records, Chambers and Centre streets.  
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 3900 Worth.

#### ART COMMISSION.

City Hall, Room 21.  
Telephone call, 1107 Cortlandt.  
Robert W. de Forest, Trustee Metropolitan Museum of Art, President; Frank D. Millet, Painter, Vice-President; Howard Mansfield, Secretary; A. Augustus Healy, President of the Brooklyn Institute of Arts and Sciences; George B. McClellan, Mayor of the City of New York; John Bigelow, President of New York Public Library; Arnold W. Brunner, Architect; John B. Pine, Charles Howland Russell, Fred B. Pratt, Herbert Adams.  
John Quincy Adams, Assistant Secretary.

#### BELLEVUE AND ALLIED HOSPITALS.

Office, Bellevue Hospital, Twenty-sixth street and First avenue.  
Telephone, 4400 Madison Square.  
Board of Trustees—Dr. John W. Brannan, President; James K. Paulding, Secretary; Arden M. Robbins, Samuel Sachs, Leopold Stern, John J. Barry, John G. O'Keeffe, Robert W. Hebbard, ex-officio.

#### BOARD OF ALDERMEN.

No. 11 City Hall, 10 a. m. to 4 p. m.; Saturdays, 10 a. m. to 12 m.  
Telephone, 7560 Cortlandt.  
Patrick F. McGowan, President.  
P. J. Scully, City Clerk.

#### BOARD OF ASSESSORS.

Office, No. 320 Broadway, 9 a. m. to 4 p. m.; Saturdays, 12 m.  
Antonio Zucca.  
Paul Weimann.  
James H. Kennedy.  
William H. Jasper, Secretary.  
Telephone, 29, 30 and 31 Worth.

#### BOARD OF ELECTIONS.

Headquarters General Office, No. 107 West Forty-first Street.  
Commissioners—John T. Dooling (President), Charles B. Page, (Secretary), Rudolph C. Fuller, James Kane.  
Michael T. Daley, Chief Clerk.  
Telephone, 2946 Bryant.

#### BOROUGH OFFICES.

Manhattan.  
No. 112 West Forty-second street.  
William C. Baxter, Chief Clerk.  
The Bronx.  
One Hundred and Thirty-eighth street and Mott avenue (Solingen Building).  
Cornelius A. Bunner, Chief Clerk.  
Brooklyn.  
No. 42 Court street (Temple Bar Building).  
George Russell, Chief Clerk.  
Queens.  
No. 46 Jackson avenue, Long Island City.  
Carl Voegel, Chief Clerk.  
Richmond.  
Borough Hall, New Brighton, S. I.  
Charles M. Schwalbe, Chief Clerk.  
All offices open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

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The Mayor, Chairman; the Comptroller, President of the Board of Aldermen, President of the Borough of Manhattan, President of the Borough of Brooklyn, President of the Borough of The Bronx, President of the Borough of Queens, President of the Borough of Richmond.

#### OFFICE OF THE SECRETARY.

No. 277 Broadway, Room 1406. Telephone, 2280 Worth.  
Joseph Haag, Secretary; William M. Lawrence, Assistant Secretary. Charles V. Adece, Clerk to Board.

#### OFFICE OF THE CHIEF ENGINEER.

Nelson P. Lewis, Chief Engineer, No. 277 Broadway, Room 1408. Telephone, 2281 Worth.  
Arthur S. Tuttle, Engineer in charge Division of Public Improvements, No. 277 Broadway, Room 1408. Telephone, 2281 Worth.  
Harry P. Nichols, Engineer in charge Division of Franchises, No. 277 Broadway, Room 801. Telephone, 2282 Worth.

#### BOARD OF EXAMINERS.

Rooms 6027 and 6028 Metropolitan Building, No. 1 Madison avenue, Borough of Manhattan, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 5840 Gramercy.  
Warren A. Conover, Charles Buck, Lewis Harding, Charles G. Smith, Edward F. Croker, Henry R. Marshall and George A. Just, Chairman.  
Edward V. Barton, Clerk.  
Board meeting every Tuesday at 2 p. m.

#### BOARD OF PAROLE OF THE NEW YORK CITY REFORMATORY OF MISDEMEANANTS.

Office, No. 148 East Twentieth street.  
John J. Barry, Commissioner of Correction, President.  
Wm. E. Wyatt, Judge, Special Sessions, First Division.  
Robert J. Wilkin, Judge, Special Sessions, Second Division.  
James J. Walsh, City Magistrate, First Division.  
Edward J. Dooley, City Magistrate, Second Division.  
Samuel B. Hamburger, John C. Heintz, Dominick Di Dario, James F. Boyle.  
Thomas R. Minnick, Secretary.

#### BOARD OF REVISION OF ASSESSMENTS.

Herman A. Metz, Comptroller.  
Francis K. Pendleton, Corporation Counsel.  
Lawson Purdy, President of the Department of Taxes and Assessments.  
Henry J. Storrs, Chief Clerk, Finance Department, No. 280 Broadway.  
Telephone, 1200 Worth.

#### BOARD OF WATER SUPPLY.

Office, No. 299 Broadway.  
John A. Bensel, Charles N. Chadwick, Charles A. Shaw, Commissioners.  
Thomas Hassett, Secretary.  
J. Waldo Smith, Chief Engineer.

#### COMMISSIONERS OF ACCOUNTS.

Rooms 114 and 115 Stewart Building, No. 280 Broadway, 9 a. m. to 4 p. m.  
Telephone, 4315 Worth.  
John Purroy Mitchell, Ernest Y. Gallaher, Commissioners.

#### CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.  
Office of the Commission, Room 138, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City.  
Commissioners—William E. Stillings, George C. Norton, Lewis A. Abrams.  
Lamont McLoughlin, Clerk.  
Regular advertised meetings on Monday, Wednesday and Friday of each week at 2 o'clock p. m.

#### CITY CLERK AND CLERK OF THE BOARD OF ALDERMEN.

City Hall, Rooms 11, 12; 10 a. m. to 4 p. m.; Saturdays, 10 a. m. to 12 m.  
Telephone, 7560 Cortlandt.  
P. J. Scully, City Clerk and Clerk of the Board of Aldermen.  
Joseph F. Prendergast, First Deputy City Clerk.  
John T. Oakley, Chief Clerk of the Board of Aldermen.  
Joseph V. Sculley, Clerk, Borough of Brooklyn.  
Thomas J. McCabe, Deputy City Clerk, Borough of The Bronx.  
William R. Zimmerman, Deputy City Clerk, Borough of Queens.  
Joseph F. O'Grady, Deputy City Clerk, Borough of Richmond.

#### CITY RECORD OFFICE.

BUREAU OF PRINTING, STATIONERY AND BLANK BOOKS.  
Supervisor's Office, Park Row Building, No. 21 Park Row. Entrance, Room 807, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 1505 and 1506 Cortlandt. Supply Room, No. 2, City Hall.  
Patrick J. Tracy, Supervisor; Henry McMillen, Deputy Supervisor; C. McKemie, Secretary.

#### COMMISSIONER OF LICENSES.

Office, No. 277 Broadway.  
John N. Bogart, Commissioner.  
James P. Archibald, Deputy Commissioner.  
John J. Caldwell, Secretary.  
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 2828 Worth.

#### COMMISSIONERS OF SINKING FUND.

George B. McClellan, Mayor, Chairman; Herman A. Metz, Comptroller; James J. Martin, Chamberlain; Patrick F. McGowan, President of the Board of Aldermen; and Timothy P. Sullivan, Chairman Finance Committee, Board of Aldermen, Members.  
N. Taylor Phillips, Deputy Comptroller, Secretary; Office of Secretary, Room 12, Stewart Building.  
Telephone, 1200 Worth.

#### DEPARTMENT OF BRIDGES.

Nos. 13-21 Park Row.  
James W. Stevenson, Commissioner.  
John H. Little, Deputy Commissioner.  
Edgar E. Schiff, Secretary.  
Office hours, 9 a. m. to 4 p. m.  
Saturdays, 9 a. m. to 4 p. m.; Sundays, 10 a. m. to 12 m.  
Telephone, 6080 Cortlandt.

#### DEPARTMENT OF CORRECTION.

CENTRAL OFFICE.  
No. 148 East Twentieth street. Office hours from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 1047 Gramercy.  
John J. Barry, Commissioner.  
George W. Meyer, Deputy Commissioner.  
John B. Fitzgerald, Secretary.

#### DEPARTMENT OF DOCKS AND FERRIES.

Pier "A," N. R., Battery place.  
Telephone, 300 Rector.  
Allen N. Spooner, Commissioner.  
Denis A. Judge, Deputy Commissioner.  
Joseph W. Savage, Secretary.  
Office hours, 9 a. m. to 4 p. m.; Saturdays, 12 m.

#### DEPARTMENT OF EDUCATION.

BOARD OF EDUCATION.  
Park avenue and Fifty-ninth street, Borough of Manhattan, 9 a. m. to 5 p. m. (in the month of August, 9 a. m. to 4 p. m.); Saturdays, 9 a. m. to 12 m.  
Telephone, 5580 Plaza.  
Richard B. Aldcroft, Jr., Walter Alexander, Nicholas J. Barrett, Charles E. Bruce, M. D.; Joseph E. Cosgrove, Frederic R. Coudert, Francis W. Crowninshield, Francis P. Cunnion, Thomas M. De Laney, Horace E. Dresser, Alexander Ferris, Joseph Nicola Francolini, George Freifeld, George J. Gillespie, John Greene, Lewis Haase, Robert L. Harrison, Louis Haupt, M. D.; Thomas J. Higgins, James P. Holland, Arthur Hollick, Hugo Kanzler, Max Katzenberg, Arlick H. Man, Clement March, Mitchell May, Robert E. McCafferty, Dennis J. McDonald, M. D.; Ralph McKee, Frank W. Meyer, Thomas J. O'Donohue, Henry H. Sherman, Arthur S. Somers, Abraham Stern, M. Samuel Stern, Cornelius J. Sullivan, James E. Sullivan, Michael J. Sullivan, Bernard Suydam, Rupert B. Thomas, John R. Thompson, George A. Vandenhoff, Frank D. Wilsey, George W. Wingate, Egerton L. Winthrop, Jr., members of the Board (one vacancy).  
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John Greene, Vice-President.  
A. Emerson Palmer, Secretary.  
Fred H. Johnson, Assistant Secretary.  
C. B. J. Snyder, Superintendent of School Buildings.  
Patrick Jones, Superintendent of School Supplies.  
Henry K. M. Cook, Auditor.  
Thomas A. Dillon, Chief Clerk.

Henry M. Leipziger, Supervisor of Lectures.  
Claude G. Leland, Superintendent of Libraries.  
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#### DEPARTMENT OF FINANCE.

Stewart Building, Chambers street and Broadway, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.  
Telephone, 1200 Worth.  
Herman A. Metz, Comptroller.  
John H. McCooney and N. Taylor Phillips, Deputy Comptrollers.  
Hubert L. Smith, Assistant Deputy Comptroller.  
Paul Loeser, Secretary to Comptroller.

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BOOKKEEPING AND AWARDS DIVISION.  
Frank W. Smith, Chief Accountant and Bookkeeper, Room 8.

#### STOCK AND BOND DIVISION.

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

#### BUREAU OF AUDIT—MAIN DIVISION.

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

#### LAW AND ADJUSTMENT DIVISION.

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

#### BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.

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

#### CHARITABLE INSTITUTIONS DIVISION.

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

#### OFFICE OF THE CITY PAYMASTER.

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

#### ENGINEERING DIVISION.

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

#### DIVISION OF REAL ESTATE.

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

#### BUREAU FOR THE COLLECTION OF TAXES.

Borough of Manhattan—Stewart Building, Room O.  
David E. Austen, Receiver of Taxes.  
John J. McDonough and William H. Loughran, Deputy Receivers of Taxes.  
Borough of the Bronx—Municipal Building, Third and Tremont avenues.  
John B. Underhill and Stephen A. Nugent, Deputy Receivers of Taxes.  
Borough of Brooklyn—Municipal Building, Rooms 2-8.  
James B. Bouck and William Gallagher, Deputy Receivers of Taxes.  
Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.  
George H. Creed and Mason O. Smedley, Deputy Receivers of Taxes.  
Borough of Richmond—Borough Hall, St. George, New Brighton.  
John De Morgan and F. Wilsey Owen, Deputy Receivers of Taxes.

#### BUREAU FOR THE COLLECTION OF ASSESSMENTS AND ARREARS.

Borough of Manhattan—Stewart Building, Room 1.  
Daniel Moynahan, Collector of Assessments and Arrears.  
Richard E. Weldon, Deputy Collector of Assessments and Arrears.  
Borough of The Bronx—Municipal Building, Rooms 1-3.  
James J. Donovan, Jr., Deputy Collector of Assessments and Arrears.  
Borough of Brooklyn—Mechanics' Bank Building, corner Court and Montague streets.  
Thomas J. Drennan, Deputy Collector of Assessments and Arrears.  
Borough of Queens—Hackett Building, Jackson avenue and Fifth street, Long Island City.  
Patrick E. Leahy, Deputy Collector of Assessments and Arrears.  
Borough of Richmond—St. George, New Brighton.  
George Brand, Deputy Collector of Assessments and Arrears.

#### BUREAU FOR THE COLLECTION OF CITY REVENUE AND OF MARKETS.

Stewart Building, Chambers street and Broadway, Room 141.  
John M. Gray, Collector of City Revenue and Superintendent of Markets.  
John F. Hobbs, Deputy Superintendent of Markets.  
David O'Brien, Deputy Collector of City Revenue.

#### BUREAU FOR THE EXAMINATION OF CLAIMS.

Frank J. Prial, Chief Examiner. Room 181.

#### BUREAU OF THE CITY CHAMBERLAIN.

Stewart Building, Chambers street and Broadway Rooms 63 to 67.  
James J. Martin, City Chamberlain.  
Henry J. Walsh, Deputy Chamberlain.  
Telephone, 4270 Worth.

#### DEPARTMENT OF HEALTH.

Southwest corner of Fifty-fifth street and Sixth avenue, Borough of Manhattan, 9 a. m. to 4 p. m.  
Burial Permit and Contagious Disease Offices always open.  
Telephone, 4900 Columbus.  
Thomas Darlington, M. D., Commissioner of Health and President.  
Alvah H. Doty, M. D.; Theodore A. Bingham, Commissioners.  
Eugene W. Scheffer, Secretary.  
Herman M. Biggs, M. D., General Medical Officer.  
James McC. Miller, Chief Clerk.  
Walter Bensel, M. D., Sanitary Superintendent.  
William H. Guilfooy, M. D., Registrar of Records.

**Borough of Manhattan.**

Alonzo Blauvelt, M. D., Assistant Sanitary Superintendent; George A. Roberts, Assistant Chief Clerk.  
Charles J. Burke, M. D., Assistant Registrar of Records.

**Borough of The Bronx, No. 3731 Third avenue.**

Alonzo Blauvelt, M. D., Acting Assistant Sanitary Superintendent; Ambrose Lee, Jr., Assistant Chief Clerk; Arthur J. O'Leary, M. D., Assistant Registrar of Records.

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

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

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

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

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

**DEPARTMENT OF PARKS.**

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

William J. Fransioli, Secretary  
Offices, Arsenal, Central Park.  
Telephone, 201 Plaza.

Michael J. Kennedy, Commissioner of Parks for the Boroughs of Brooklyn and Queens.  
Offices, Litchfield Mansion, Prospect Park, Brooklyn.

Telephone, 2300 South.

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

Office, Zbrowski Mansion, Claremont Park.

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

Telephone, 2640 Tremont.

**DEPARTMENT OF PUBLIC CHARITIES.****PRINCIPAL OFFICE.**

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

Saturdays, 12 m.

Telephone, 3340 Madison Square.

Robert W. Heberd, Commissioner.

Richard C. Baker, First Deputy Commissioner.

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

J. McKee Borden, Secretary.

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

Bureau of Dependent Adults, foot of East Twenty-sixth street. Office hours, 8.30 a. m. to 4 p. m.

The Children's Bureau, No. 66 Third avenue, Office hours, 8.30 a. m. to 4 p. m.

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

Telephone, 1000 Tompkinsville.

**DEPARTMENT OF STREET CLEANING.**

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

Telephone, 3863 Cortlandt.

William H. Edwards, Commissioner.

James D. Hogan, Deputy Commissioner, Borough of Manhattan.

Owen J. Murphy, Deputy Commissioner, Borough of Brooklyn.

Jerome F. Reilly, Deputy Commissioner, Borough of The Bronx.

John J. O'Brien, Chief Clerk.

**DEPARTMENT OF TAXES AND ASSESSMENTS.**

Hall of Records, corner of Chambers and Centre streets. Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Commissioners—Lawson Purdy, President; Frank Raymond, James H. Tully, Charles Putzel, Hugh Hastings, Charles J. McCormack, John J. Halleran.

**DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.**

Nos. 13 to 21 Park row, 9 a. m. to 4 p. m.  
Telephones, Manhattan, 8520 Cortlandt; Brooklyn, 3980 Main; Queens, 439 Greenpoint; Richmond, 94 Tompkinsville; Bronx, 62 Tremont.

John H. O'Brien, Commissioner.

M. F. Loughman, Deputy Commissioner.

John F. Garvey, Secretary to Department.

I. M. de Varona, Chief Engineer.

George W. Birdsall, Consulting Hydraulic Engineer.

George F. Sever, Consulting Electrical Engineer.

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

Michael C. Padden, Water Register, Manhattan.

William A. Hawley, Secretary to Commissioner.

William C. Cozier, Deputy Commissioner, Borough of Brooklyn, Municipal Building, Brooklyn.

John W. McKay, Acting Chief Engineer, Brooklyn.

William R. McGuire, Water Register, Brooklyn.

Michael Hecht, Deputy Commissioner, Borough of The Bronx, Crotona Park Building, One Hundred and Seventy-seventh street and Third avenue.

Thomas M. Lynch, Water Register, The Bronx.

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

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

**EXAMINING BOARD OF PLUMBERS.**

Bartholomew F. Donohoe, President; John J. Moore, Secretary; John J. Dunn, Treasurer; ex-officio, Horace Loomis and Matthew E. Healy.

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

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

**FIRE DEPARTMENT.**

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

**HEADQUARTERS.**

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

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

Nicholas J. Hayes, Commissioner.

P. A. Whitney, Deputy Commissioner.

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

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

Edward F. Croker, Chief of Department.  
Thomas Lally, Deputy Chief of Department in charge, Boroughs of Brooklyn and Queens.  
Joseph L. Burke, Inspector of Combustibles, Nos. 157 and 159 East Sixty-seventh street, Manhattan. Telephone, 640 Plaza.

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

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

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

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

William T. Beggin, Chief of Battalion in charge Bureau of Violations and Auxiliary Fire Appliances, Boroughs of Manhattan, The Bronx and Richmond, Nos. 157 and 159 East Sixty-seventh street, Manhattan. Telephone, 3520 Main.

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

Central office open at all hours.

**LAW DEPARTMENT.****OFFICE OF CORPORATION COUNSEL.**

Hall of Records, Chambers and Centre streets, 6th, 7th and 8th floors, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 9000 Worth.

Francis K. Pendleton, Corporation Counsel.

Assistants—Theodore Connolly, George L. Sterling, Charles D. Olenford, William P. Burr, R. Percy Chittenden, David Runsey, William Beers Crowell, John L. O'Brien, Terence Farley, Cornelius F. Collins, John F. O'Brien, Edward S. Malone, Edwin J. Freedman, Louis H. Hahlo, Frank B. Pierce, Stephen O'Brien, Charles A. O'Neil, Richard J. Mitchell, John Widdicombe, Edward J. McGoldrick, Curtis A. Peters, Arthur Sweeney, Joel J. Squier, Harford P. Walker, George P. Nicholson, George H. Folwell, William H. King, Alfred W. Booraem, Josiah A. Stover, Thomas F. Noonan, J. Gabriel Britt, Royal E. T. Riggs, Charles McIntyre, Solon Berrick, Francis J. Byrne, James P. O'Connor, William H. Jackson, Edward Maxson, Elliot S. Benedict, Clarence L. Barber, Isaac Phillips, Edward A. McShane, Eugene Fay.

Secretary to the Corporation Counsel—Edmund Kirby.

Chief Clerk—Andrew T. Campbell.

**BROOKLYN OFFICE.**

Borough Hall, 2d floor, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.

Telephone, 2948 Main.

James D. Bell, Assistant in charge.

**BUREAU OF STREET OPENINGS.**

No. 90 West Broadway, 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.

Telephone, 8190 Cortlandt.

John P. Dunn, Assistant in charge.

**BUREAU FOR THE RECOVERY OF PENALTIES.**

No. 119 Nassau street, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 4526 Cortlandt.

Herman Stiefel, Assistant in charge.

**BUREAU FOR THE COLLECTION OF ARREARS OF PERSONAL TAXES.**

No. 280 Broadway, 5th floor. Office hours for public, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 4585 Worth.

Geo. O'Reilly, Assistant in charge.

**TENEMENT HOUSE BUREAU AND BUREAU OF BUILDINGS.**

No. 44 East Twenty-third street, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Telephone, 1061 Gramercy.

John P. O'Brien, Assistant in charge.

**METROPOLITAN SEWERAGE COMMISSION.**

Office, No. 17 Battery place. George A. Soper, Ph. D., President; James H. Fuertes, Secretary; H. de B. Parsons, Charles Soosmith, Linsly R. Williams, M. D.

Telephone, 1694 Rector.

**MUNICIPAL CIVIL SERVICE COMMISSION.**

No. 299 Broadway, 9 a. m. to 4 p. m.

Frank L. Polk, R. Ross Appleton, Arthur J. O'Keefe.

Frank A. Spencer, Secretary

John F. Skelly, Assistant Secretary.

**Labor Bureau.**

Nos. 54-60 Lafayette street.

Telephone, 2140 Worth.

**MUNICIPAL EXPLOSIVES COMMISSION.**

Nos. 157 and 159 East Sixty-seventh street, Headquarters Fire Department.

Patrick A. Whitney, Deputy Fire Commissioner and Chairman; William Montgomery, John Sherry, C. Andrade, Jr., Abram A. Breneman.

Telephone, 640 Plaza.

Franz S. Wolf, Secretary, Nos. 365-367 Jay street, Brooklyn.

Stated meeting, Friday of each week, at 3 p. m.

Telephone, 3520 Main.

**POLICE DEPARTMENT.****CENTRAL OFFICE.**

No. 300 Mulberry street, 9 a. m. to 4 p. m.

Telephone, 3100 Spring.

Theodore A. Bingham, Commissioner.

William F. Baker, First Deputy Commissioner.

Frederick H. Bugher, Second Deputy Commissioner.

Bert Hanson, Third Deputy Commissioner.

Arthur Woods, Fourth Deputy Commissioner.

Daniel G. Slattery, Secretary to Commissioner.

William H. Kipp, Chief Clerk.

**PUBLIC SERVICE COMMISSION.**

The Public Service Commission for the First District, Tribune Building, No. 154 Nassau street, Manhattan.

Office hours, 8 a. m. to 11 p. m., every day in the year, including holidays and Sundays

Stated public meetings of the Commission, Tuesdays and Fridays at 11.30 a. m. in the Public Hearing Room of the Commission, third floor of the Tribune Building, unless otherwise ordered.

Commissioners—William R. Willcox, Chairman; William McCarroll, Edward M. Bassett, Milo R. Maltbie, John E. Eustis. Counsel, George S. Coleman. Secretary, Travis H. Whitney.

Telephone, 4150 Beekman.

**TENEMENT HOUSE DEPARTMENT.**

Manhattan Office, No. 44 East Twenty-third street.

Telephone, 5331 Gramercy.

Edmond J. Butler, Commissioner.

Wm. H. Abbott, Jr., First Deputy Commissioner.

Brooklyn Office (Boroughs of Brooklyn, Queens and Richmond), Temple Bar Building, No. 44 Court street.

Telephone, 3825 Main.

John McKeown, Second Deputy Commissioner.

Brooklyn Office, Nos. 2804, 2806 and 2808 Third Avenue.

Telephone, 967 Melrose.

William B. Calvert, Superintendent.

**BOROUGH OFFICES.****BOROUGH OF THE BRONX.**

Office of the President, corner Third avenue and One Hundred and Seventy-seventh street; 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

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Henry A. Gumbleton, Secretary.

John F. Murray, Commissioner of Public Works.

John A. Hawkins, Assistant Commissioner of Public Works.

Josiah A. Briggs, Chief Engineer.

Frederick Greiffenberg, Principal Assistant Topographical Engineer.

Charles H. Graham, Engineer of Sewers.

Thomas H. O'Neil, Superintendent of Sewers.

Samuel C. Thompson, Engineer of Highways.

Patrick J. Reville, Superintendent of Buildings.

John A. Mason, Assistant Superintendent of Buildings.

Peter J. Stumpf, Superintendent of Highways.

Albert H. Liebenau, Superintendent of Public Buildings and Offices.

Telephone, 66 Tremont.

**BOROUGH OF BROOKLYN.**

President's Office, Nos. 15 and 16 Borough Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

Bird S. Coler, President.

Charles Frederick Adams, Secretary.

John A. Heffernan, Private Secretary.

Thomas R. Farrell, Commissioner of Public Works.

James M. Power, Secretary to Commissioner.

David F. Moore, Superintendent of Buildings.

James Dunne, Superintendent of the Bureau of Sewers.

Joseph M. Lawrence, Superintendent of the Bureau of Public Buildings and Offices.

Patrick F. Lynch, Superintendent of Highways.

**BOROUGH OF MANHATTAN.**

Office of the President, Nos. 14, 15 and 16 City Hall, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

John F. Ahearn, President.

Bernard Downing, Secretary.

John Cloughen, Commissioner of Public Works.

James J. Hagan, Assistant Commissioner of Public Works.

Edward S. Murphy, Superintendent of Buildings.

Frank J. Goodwin, Superintendent of Sewers.

John R. Voorhis, Superintendent of Buildings and Offices. Telephone, 6725 Cortlandt.

**BOROUGH OF QUEENS.**

President's Office, Borough Hall, Jackson avenue and Fifth street, Long Island City; 9 a. m. to 4 p. m.

Saturdays, 9 a. m. to 12 m.

Lawrence Gresser, President.

John M. Cragen, Secretary.

Alfred Denton, Commissioner of Public Works.

Harry Sutphin, Assistant Commissioner of Public Works.

James P. Hicks, Superintendent of Highways.

Carl Berger, Superintendent of Buildings.

Cornelius Burke, Superintendent of Sewers.

James E. Clonin, Superintendent of Street Cleaning.

Edward F. Kelly, Superintendent of Public Buildings and Offices.

Telephone, 1900 Greenpoint.

**BOROUGH OF RICHMOND.**

President's Office, New Brighton, Staten Island.

George Cromwell, President.

Maybury Fleming, Secretary.

Louis Lincoln Tribus, Consulting Engineer and Acting Commissioner of Public Works.

John Seaton, Superintendent of Buildings.

H. E. Buel, Superintendent of Highways.

John T. Fetherston, Superintendent of Street Cleaning.

Ernest H. Seehusen, Superintendent of Sewers.

John Timlin, Jr., Superintendent of Public Buildings and Offices.

Offices—Borough Hall, New Brighton, N. Y., 9 a. m. to 4 p. m. Saturdays, 9 a. m. to 12 m.

Telephone, 1000 Tompkinsville.

**CORONERS.**

Borough of The Bronx—Corner of Third avenue and Tremont avenue. Telephone, 1250 Tremont and 1402 Tremont.

Robert F. McDonald, A. F. Schwannecke.

William T. Austin, Chief Clerk.

Borough of Brooklyn—Office, Rooms 1 and 3 Municipal Building. Telephone, 4004 Main and 4005 Main.

Henry J. Brewer, M. D., John F. Kennedy.

Joseph McGuinness, Chief Clerk.

Open all hours of the day and night.

Borough of Manhattan—Office, Criminal Courts Building, Centre and White streets. Open at all times of the day and night.

Coroners: Julius Harburger, Peter P. Acritelli, George F. Shady, Jr., Peter Dooley.

Julius Harburger, President Board of Coroners.

Jacob E. Bausch, Chief Clerk.

Telephones, 4094, 5057, 5058 Franklin.

**DISTRICT ATTORNEY.**

Office, Queens County Court-house, Long Island City, 9 a. m. to 5 p. m.  
Frederick G. De Witt, District Attorney.  
Telephone, 39 Greenpoint.

**PUBLIC ADMINISTRATOR.**

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

**SHERIFF.**

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

**SURROGATE.**

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

**RICHMOND COUNTY.****COMMISSIONER OF JURORS.**

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

**COUNTY CLERK.**

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

**COUNTY JUDGE AND SURROGATE.**

Terms of Court, Richmond County, 1909.  
County Courts—Stephen D. Stephens, County Judge.  
First Monday of June, Grand and Trial Jury.  
Second Monday of November, Grand and Trial Jury.  
Fourth Wednesday of January, without a Jury.  
Fourth Wednesday of February, without a Jury.  
Fourth Wednesday of March, without a Jury.  
Fourth Wednesday of April, without a Jury.  
Fourth Wednesday of July, without a Jury.  
Fourth Wednesday of September, without a Jury.  
Fourth Wednesday of October, without a Jury.  
Fourth Wednesday of December, without a Jury.  
Surrogate's Court—Stephen D. Stephens, Surrogate.  
Mondays, at the Borough Hall, St. George, at 10.30 o'clock a. m.  
Tuesdays, at the Borough Hall, St. George, at 10.30 o'clock a. m.  
Wednesdays, at the Surrogate's Office, Richmond at 10.30 o'clock a. m.

**DISTRICT ATTORNEY.**

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

**SHERIFF.**

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

**THE COURTS.****APPELLATE DIVISION OF THE SUPREME COURT.****FIRST JUDICIAL DEPARTMENT.**

Court-house, Madison avenue, corner Twenty-fifth street. Court opens at 1 p. m.  
Edward Patterson, Presiding Justice; George L. Ingraham, Chester B. McLaughlin, Frank C. Laughlin, John Proctor Clarke, James W. Houghton, Francis M. Scott, Justices; Alfred Wagstaff, Clerk; William Lamb, Deputy Clerk.  
Clerk's Office opens at 9 a. m.  
Telephone, 3840 Madison Square.

**SUPREME COURT—FIRST DEPARTMENT.**

County Court-house, Chambers street. Court open from 10.15 a. m. to 4 p. m.  
Special Term, Part I. (motions), Room No. 16.  
Special Term, Part II. (ex-parte business), Room No. 13.  
Special Term, Part III., Room No. 19.  
Special Term, Part IV., Room No. 20.  
Special Term, Part V., Room No. 26.  
Special Term, Part VI. (Elevated Railroad cases), Room No. 31.  
Trial Term, Part II., Room No. 34.  
Trial Term, Part III., Room No. 22.  
Trial Term, Part IV., Room No. 21.  
Trial Term, Part V., Room No. 24.  
Trial Term, Part VI., Room No. 18.  
Trial Term, Part VII., Room No. —.  
Trial Term, Part VIII., Room No. 23.  
Trial Term, Part IX., Room No. 35.  
Trial Term, Part X., Room No. 26.  
Trial Term, Part XI., Room No. 27.  
Trial Term, Part XII., Room No. —.  
Trial Term, Part XIII., and Special Term, Part VII., Room No. 36.  
Trial Term, Part XIV., Room No. 28.  
Trial Term, Part XV., Room No. 37.  
Trial Term, Part XVI., Room No. —.  
Trial Term, Part XVII., Room No. 20.  
Trial Term, Part XVIII., Room No. 29.  
Appellate Term, Room No. 29.  
Naturalization Bureau, Room No. 38, third floor.  
Assignment Bureau, room on mezzanine floor, northeast.  
Clerks in attendance from 10 a. m. to 4 p. m.  
Clerk's Office, Special Term, Part I. (motions), Room No. 15.  
Clerk's Office, Special Term, Part II. (ex-parte business), ground floor, southeast corner.  
Clerk's Office, Special Term, Calendar, ground floor, south.  
Clerk's Office, Trial Term, Calendar, room northeast corner, second floor, east.  
Clerk's Office, Appellate Term, room southwest corner, third floor.  
Trial Term, Part I. (criminal business).  
Criminal Court-house, Centre street.

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

**SUPREME COURT—SECOND DEPARTMENT.**

Kings County Court-house, Borough of Brooklyn, N. Y.  
Court open daily from 10 o'clock a. m. to 5 o'clock p. m. Seven jury trial parts. Special Term for Trials. Special Term for Motions.  
James F. McGee, General Clerk.  
Telephone, 5460 Main.

**CRIMINAL DIVISION—SUPREME COURT.**

Building for Criminal Courts, Centre, Elm, White and Franklin streets.  
Court opens at 10.30 a. m.  
Peter J. Dooling, Clerk; Edward R. Carroll, Special Deputy to the Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 6064 Franklin.

**COURT OF GENERAL SESSIONS.**

Held in the Building for Criminal Courts, Centre, Elm, White and Franklin streets.  
Court opens at 10.30 a. m.  
Thomas C. T. Crain, Otto A. Rosalsky, Warren W. Foster, Thomas C. O'Sullivan, Edward Swann, Joseph F. Mulqueen, James T. Malone, Judges of the Court of General Sessions. Edward R. Carroll, Clerk. Telephone, 1201 Franklin.  
Clerk's Office open from 9 a. m. to 4 p. m.  
During July and August Clerk's Office will close at 2 p. m., and on Saturdays at 12 m.

**CITY COURT OF THE CITY OF NEW YORK.**

No. 32 Chambers street, Brownstone Building, City Hall Park, from 10 a. m. to 4 p. m.  
Part I.  
Part II.  
Part III.  
Part IV.  
Part V.  
Part VI.  
Part VII.  
Part VIII.  
Special Term Chambers will be held from 10 a. m. to 4 p. m.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Edward F. O'Dwyer, Chief Justice; Lewis J. Conlan, Francis B. Delehan, Joseph I. Green, Alexander Finelite, Thomas F. Donnelly, John V. McAvoy, Peter Schmuck, Richard T. Lynch, Edward B. La Fetra, Justices. Thomas F. Smith, Clerk.  
Telephone, 6142 Cortlandt.

**COURT OF SPECIAL SESSIONS.**

Building for Criminal Courts, Centre street between Franklin and White streets, Borough of Manhattan.  
Court opens at 10 a. m.  
Justices—First Division—William E. Wyatt, Willard H. Olmsted, Joseph M. Deuel, Lorenz Zeller, John B. Mayo, Franklin Chase Hoyt, Charles W. Calkin, Clerk; William M. Fuller, Deputy Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 2092 Franklin, Clerk's office.  
Telephone, 601 Franklin, Justices' chambers.

Second Division—Trial Days—No. 171 Atlantic avenue, Brooklyn, Mondays, Thursdays and Fridays at 10 o'clock; Town Hall, Jamaica, Borough of Queens, Tuesday at 10 o'clock; Town Hall, New Brighton, Borough of Richmond, Wednesdays at 10 o'clock.  
Justices—Howard J. Forker, John Fleming, Morgan M. L. Ryan, Robert J. Wilkin, George J. O'Keefe, James J. McInerney, Joseph L. Kerrigan, Clerk; John J. Dorman, Deputy Clerk.  
Clerk's Office, No. 171 Atlantic avenue, Borough of Brooklyn, open from 9 a. m. to 4 p. m.

**CHILDREN'S COURT.**

First Division—No. 66 Third avenue, Manhattan.  
Ernest K. Coulter, Clerk.  
Telephone, 5353 Stuyvesant.  
Second Division—No. 102 Court street, Brooklyn.  
William F. Delaney, Clerk.  
Telephone, 627 Main.

**CITY MAGISTRATES' COURT.****First Division.**

Court opens from 9 a. m. to 4 p. m.  
City Magistrates—Robert C. Cornell, Leroy B. Crane, Peter T. Barlow, Matthew P. Breen, Joseph F. Moss, James J. Walsh, Henry Steinert, Daniel E. Finn, Frederick B. House, Charles N. Harris, Frederic Kernochan, Arthur C. Butts, Otto H. Droege, Joseph E. Corrigan, Moses Herman, Paul Krotel.  
Philip Bloch, Secretary, One Hundred and Twenty-first street and Sylvan place.  
First District—Criminal Court Building.  
Second District—Jefferson Market.  
Third District—No. 69 Essex street.  
Fourth District—No. 151 East Fifty-seventh street.  
Fifth District—One Hundred and Twenty-first street, southeastern corner of Sylvan place.  
Sixth District—One Hundred and Sixty-first street and Brook avenue.  
Seventh District—No. 314 West Fifty-fourth street.  
Eighth District—Main street, Westchester.

**Second Division.****Borough of Brooklyn.**

City Magistrates—Edward J. Dooley, James G. Tighe, John Naumer, E. G. Higginbotham, Frank E. O'Reilly, Henry J. Furlong, Alfred E. Steers, A. V. B. Voorhees, Jr., Alexander H. Geismar, John F. Hylan.  
President of the Board, Edward J. Dooley, No. 318 Adams street.  
Secretary to the Board, Charles J. Flanagan, Myrtle and Vanderbilt avenues, and No. 648 Halsey street.

**Courts.**

First District—No. 318 Adams street.  
Second District—Court and Butler streets.  
Third District—Myrtle and Vanderbilt avenues.  
Fourth District—No. 186 Bedford avenue.  
Fifth District—No. 249 Manhattan avenue.  
Sixth District—No. 495 Gates avenue.  
Seventh District—No. 31 Snider avenue (Flatbush).  
Eighth District—West Eighth street (Coney Island).  
Ninth District—Fifth avenue and Twenty-third street.  
Tenth District—No. 133 New Jersey avenue.

**Borough of Queens.**

City Magistrates—Matthew J. Smith, Joseph Fitch, Maurice E. Connolly, Eugene C. Gilroy.

**Courts.**

First District—St. Mary's Lyceum, Long Island City.  
Second District—Town Hall, Flushing, L. I.  
Third District—Central avenue, Far Rockaway, L. I.

**Borough of Richmond.**

City Magistrates—Joseph B. Handy, Nathaniel Marsh.

**Courts.**

First District—Lafayette place, New Brighton, Staten Island.  
Second District—Village Hall, Stapleton, Staten Island.

**MUNICIPAL COURTS.****Borough of Manhattan.**

First District—The First District embraces the territory bounded on the south and west by the southerly and westerly boundaries of the said borough, on the north by the centre line of Fourteenth street and the centre line of Fifth street from the Bowery to Second avenue, on the east by the centre lines of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catharine street.  
Wauhope Lynn, William F. Moore, John Hoyer, Justices.

Thomas O'Connell, Clerk; Francis Mangin, Deputy Clerk.  
Location of Court—Merchants' Association Building, Nos. 54-60 Lafayette street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Additional Parts are held at southwest corner of Sixth avenue and Tenth street and at No. 128 Prince street.  
Telephone, 6030 Franklin.

Second District—The Second District embraces the territory bounded on the south by the centre line of Fifth street from the Bowery to Second avenue and on the south and east by the southerly and easterly boundaries of the said borough, on the north by the centre line of East Fourteenth street, on the west by the centre lines of Fourth avenue from Fourteenth street to Fifth street, Second avenue, Chrystie street, Division street and Catharine street.  
George F. Roesch, Benjamin Hoffman, Leon Sanders, Thomas P. Dinneen, Justices.

James J. Devlin, Clerk; Michael H. Looney, Deputy Clerk.  
Location of Court—Nos. 264 and 266 Madison street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 2596 Orchard.

Third District—The Third District embraces the territory bounded on the south by the centre line of Fourteenth street, on the east by the centre line of Seventh avenue from Fourteenth street to Fifty-ninth street and by the centre line of Central Park West from Fifty-ninth street to Sixty-fifth street on the north by the centre line of Sixty-fifth street and the centre line of Fifty-ninth street from Seventh to Eighth avenue, on the west by the westerly boundary of the said borough.  
Thomas E. Murray, James W. McLaughlin, Justices.

Michael Skelly, Clerk; Henry Merzbach, Deputy Clerk.  
Location of Court—No. 314 West Fifty-fourth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone number, 5450 Columbus.

Fourth District—The Fourth District embraces the territory bounded on the south by the centre line of East Fourteenth street, on the west by the centre line of Lexington avenue and by the centre line of Irving place, including its projection through Gramercy Park, on the north by the centre line of Fifty-ninth street, on the east by the easterly line of said borough; excluding, however, any portion of Blackwell's Island.  
Michael F. Blake, William J. Boyhan, Justices.

Abram Bernard, Clerk; James Foley, Deputy Clerk.  
Location of Court—Part I., and Part II., No. 151 East Fifty-seventh street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Fifth District—The Fifth District embraces the territory bounded on the south by the centre line of Sixty-fifth street, on the east by the centre line of Central Park West, on the north by the centre line of One Hundred and Tenth street, on the west by the westerly boundary of said borough.  
Alfred P. W. Seaman, William Young, Frederick Spiegelberg, Justices.

Michael V. Gilloon, Clerk; John H. Servis, Deputy Clerk.  
Location of Court—Broadway and Ninety-sixth street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 4006 Riverside.

Sixth District—The Sixth District embraces the territory bounded on the south by the centre line of Fifty-ninth street and by the centre line of Ninety-sixth street from Lexington avenue to Fifth avenue, on the west by the centre line of Lexington avenue from Fifty-ninth street to Ninety-sixth street and the centre line of Fifth avenue from Ninety-sixth street to One Hundred and Tenth street, on the north by the centre line of One Hundred and Tenth street, on the east by the easterly boundary of said borough, including, however, all of Blackwell's Island and excluding any portion of Ward's Island.  
Herman Joseph, Jacob Marks, Justices.

Edward A. McQuade, Clerk; Thomas M. Campbell, Deputy Clerk; John J. Dietz, Frederick J. Stroh, Assistant Clerks.  
Location of Court—Northwest corner of Third avenue and Eighty-third street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 4343 79-St.

Seventh District—The Seventh District embraces the territory bounded on the south by the centre line of One Hundred and Tenth street, on the east by the centre line of Fifth avenue to the northerly terminus thereof, and north of the northerly terminus of Fifth avenue, following in a northerly direction the course of the Harlem river, on a line continuous with the easterly boundary of said borough, on the north and west by the northerly and westerly boundaries of said borough.  
Phillip J. Sinnott, David L. Weil, John R. Davies, Justices.

Heman B. Wilson, Clerk; Robert Andrews, Deputy Clerk.  
Location of Court—No. 70 Manhattan street. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.

Eighth District—The Eighth District embraces the territory bounded on the south by the centre line of One Hundred and Tenth street, on the west by the centre line of Fifth avenue, on the north and east by the northerly and easterly boundaries of said borough, including Randall's Island and the whole of Ward's Island.  
Joseph P. Fallon, Leopold Prince, Justices.

William J. Kennedy, Clerk; Patrick J. Ryan, Deputy Clerk.  
Location of Court—Sylvan place and One Hundred and Twenty-first street, near Third avenue. Clerk's Office open daily (Sundays and legal holidays excepted) from 9 a. m. to 4 p. m.  
Telephone, 3950 Harlem.

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

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

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

**Borough of The Bronx.**

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

Peter A. Sheil, Justice.  
Stephen Collins, Clerk.  
Office hours from 9 a. m. to 4 p. m.; Saturdays closing at 12 m.  
Telephone, 457 Westchester.

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

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

**Borough of Brooklyn.**

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

John J. Walsh, Justice. Edward Moran, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.

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

Court-room, No. 495 Gates avenue.  
Gerard B. Van Wart and Charles J. Dodd, Justices. Franklin B. Van Wart, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.

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

Philip D. Meagher and William J. Bogenshutz, Justices. John W. Carpenter, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Court opens at 9 a. m.

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

Court-room, No. 14 Howard avenue.  
Thomas H. Williams, Justice. G. J. Wiederhold, Clerk. Milton I. Williams, Assistant Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.

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

Cornelius Furguson, Justice. Jeremiah J. O'Leary, Clerk.  
Clerk's Office open from 9 a. m. to 4 p. m.  
Telephone, 407 Bay Ridge.

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

Lucien S. Bayliss and George Fielder, Justices, Charles P. Bible, Clerk.  
Court-house, No. 611 Fulton street.

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

Alexander S. Rosenthal and Edward A. Richards, Justices. Samuel F. Brothers, Clerk.  
Court-house, corner Pennsylvania avenue and Fulton street (No. 31 Pennsylvania avenue).

Clerk's Office open from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Trial days, Tuesdays, Wednesdays, Thursdays and Fridays.  
Jury days, Wednesdays and Thursdays.  
Telephone, 904 East New York.

#### Borough of Queens.

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

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

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

Telephone, 376 Greenpoint.

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

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

Trial days, Tuesdays and Thursdays.

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

Telephone, 87 Newtown.

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

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

Court-house, Town Hall, Jamaica.

Telephone, 189 Jamaica.

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

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

#### Borough of Richmond.

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

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

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

Telephone, 503 Tompkinsville.

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

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

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

Court opens at 9 a. m. Calendar called at 10 a. m.

Court continued until close of business. Trial days, Mondays, Wednesdays and Fridays.

Telephone, 313 Tompkinsville.

#### OFFICIAL BOROUGH PAPERS.

##### BOROUGH OF THE BRONX.

"The Bronx Star," "North Side News," "Bronx Independent."

##### BOROUGH OF RICHMOND.

"Staten Island World," "Richmond County Herald."

##### BOROUGH OF QUEENS.

"Long Island Star" (First and Second Wards), "Flushing Evening Journal" (Third Ward), "Long Island Farmer" (Fourth Ward), "Rockaway News" (Fifth Ward).

##### BOROUGH OF BROOKLYN.

"Brooklyn Eagle," "Brooklyn Times," "Brooklyn Citizen," "Brooklyn Standard-Union," "Brooklyn Freie Presse."

##### BOROUGH OF MANHATTAN.

"Real Estate Record and Guide" (Harlem District), "Manhattan and Bronx Advocate" (Washington Heights, Morningside Heights and Harlem Districts).

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

#### BOARD MEETINGS.

The Board of Estimate and Apportionment meets in the Old Council Chamber (Room 16), City Hall, every Friday, at 10.30 o'clock a. m.

JOSEPH HAAG, Secretary.

The Commissioners of the Sinking Fund meet in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.

N. TAYLOR PHILLIPS, Deputy Comptroller, Secretary.

The Board of Revision of Assessments meets in the Old Council Chamber (Room 16), City Hall, every Thursday at 11 a. m., upon notice of the Chief Clerk.

HENRY J. STORRS, Chief Clerk.

The Board of City Record meets in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.

PATRICK J. TRACY, Supervisor, Secretary.

#### AQUEDUCT COMMISSIONERS.

THE AQUEDUCT COMMISSIONERS' OFFICE, ROOM 207, STEWART BUILDING, NO. 280 BROADWAY, NEW YORK, DECEMBER 17, 1908.

##### TO CONTRACTORS.

IRON AND WOODEN FENCING AT JEROME PARK RESERVOIR.

SEALED BIDS OR PROPOSALS WILL BE received by the Aqueduct Commissioners at the above office until 12 o'clock noon on

TUESDAY, JANUARY 12, 1909,

at which place and hour the bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Aqueduct Commissioners as soon thereafter as practicable for building, approximately, 2.4 miles of iron and wooden fencing, with necessary gates, around Jerome Park Reservoir, in the City of New York, Borough of The Bronx.

The security required will be Ten Thousand Dollars (\$10,000).

The contract will be required to be completed within one hundred and eighty (180) consecutive calendar days from the date on which the contract is signed by the Commissioners.

The following is a statement, based upon the estimate of the Engineer, of the quantities of the various classes of the work required:

#### Statement of Approximate Quantities.

8,520 feet iron fencing, 6 feet high.  
3,180 feet iron fencing, 4 feet high.  
4,165 feet wooden fencing, 6 feet high.  
15 iron gates.  
6 wooden gates.  
10 granite gate-posts.  
225 cubic yards concrete.  
500 cubic yards rock excavation.  
500 cubic yards earth excavation.  
4,500 cubic yards earth filling.

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

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

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

JOHN F. COWAN, President.

HARRY W. WALKER, Secretary.

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

#### CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.

PURSUANT TO THE PROVISIONS OF chapter 537 of the Laws of 1893 and the Acts amendatory thereof and supplemental thereto, notice is hereby given that meetings of the Commissioners appointed under said Acts will be held at the office of the Commission, Room 138, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City, on Mondays, Wednesdays and Fridays of each week, at 2 o'clock p. m., until further notice.

Dated New York City, October 12, 1907.

WILLIAM E. STILLINGS,

GEORGE C. NORTON,

LEWIS A. ABRAMS,

Commissioners.

LAMONT McLOUGHLIN, Clerk.

#### BOARD OF WATER SUPPLY.

##### TO CONTRACTORS.

SEALED BIDS OR PROPOSALS WILL BE received by the Board of Water Supply in the office of the Board, No. 299 Broadway, New York, Room 910, ninth floor, until 11 a. m. on

THURSDAY, JANUARY 7, 1909,

For CONTRACT 36 for the construction of the NORTH HALF OF THE WALLKILL PRESSURE TUNNEL, a tunnel in rock crossing under the valley of the Wallkill River, with three shafts 350 to 480 feet in depth, and a short stretch of plain concrete conduit known as cut-and-cover aqueduct; and for CONTRACT 37 for the construction of the SOUTH HALF OF THE WALLKILL PRESSURE TUNNEL, with three shafts 350 to 400 feet in depth, and a short stretch of plain concrete conduit, known as cut-and-cover aqueduct. The pressure tunnel will be circular, 14½ feet inside diameter, and the aqueduct 17 feet high by 17½ feet wide inside. The work is located in the Towns of New Paltz and Gardiner, Ulster County, N. Y.

Bids or proposals are invited for each contract separately and for both contracts combined. Any bidder may make a bid for either contract or for the two contracts combined. A separate form of proposal will be furnished for the purpose of the combined bid.

The Board may reject any or all bids.

An approximate statement of the quantities of the various classes of work and further information are given in the Information for Bidders, forming part of the contract.

At the above place and time the bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board of Water Supply as soon thereafter as practicable. Two or more bonds, the aggregate amount of which shall be four hundred and fifty thousand dollars (\$450,000) under each contract, will be required for the faithful performance of the contract. Each bond must be signed by the contractor and the sureties. The name and address of each surety offered must be stated in the bid or proposal, together with the amount in which each surety will qualify. The sureties and the amount in which each will qualify must be satisfactory to the Board.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank, drawn to the order of the Comptroller of The City of New York, to the amount of fifty thousand dollars (\$50,000) for each contract. Only one check for each contract will be required, whether bids are submitted for the contracts separately or combined.

Time allowed for the completion of the work under each contract is 42 months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal, contract and bond, approved by the Corporation Counsel, and specifications, and pamphlets containing contract drawings, can be obtained at the office of the Board of Water Supply, Room 1515, at the above address, upon application in person or by mail, by depositing the sum of ten dollars (\$10) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet, or twenty dollars (\$20) for each set. This deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENDEL, President;

CHARLES N. CHADWICK,

CHARLES A. SHAW,

Commissioners of the Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.

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

##### TO CONTRACTORS.

SEALED BIDS OR PROPOSALS WILL BE received by the Board of Water Supply, in the office of the Board, No. 299 Broadway, New York, Room 910, ninth floor, until 11 a. m. on

TUESDAY, JANUARY 5, 1909,

##### CONTRACT NO. 40.

FOR THE CONSTRUCTION OF THREE FIELD OFFICE BUILDINGS, THREE HORSE SHEDS AND ONE STABLE, IN THE ESOPUS DIVISION OF THE CATSKILL AQUE-

DUCT, IN THE TOWNS OF OLIVE AND MARBLETOWN, ULSTER COUNTY, N. Y.

Further information is given in the information for bidders, forming part of the contract.

At the above place and time the bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board of Water Supply as soon thereafter as practicable. The Board reserves the right to reject any or all bids.

A bond in the sum of Five Thousand Dollars (\$5,000) will be required for the faithful performance of the contract. This bond must be signed by the contractor and the surety, who must be satisfactory to the Board. The name and address of the surety offered must be stated in the bid or proposal.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank, drawn to the order of the Comptroller of The City of New York to the amount of Four Hundred Dollars (\$400).

Time allowed for the completion of the work is seven months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal, contract and bond, approved by the Corporation Counsel, and specifications, and pamphlets containing contract drawings, can be obtained at the office of the Board of Water Supply, Room 1515, at the above address upon application in person or by mail, by depositing the sum of Five Dollars (\$5) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet, or Ten Dollars (\$10) for each set. This deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENDEL, President;

CHARLES N. CHADWICK,

CHARLES A. SHAW,

Commissioners, Board of Water Supply.

J. WALDO SMITH, Chief Engineer.

THOMAS HASSETT, Secretary.

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

#### BELLEVUE AND ALLIED HOSPITALS.

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

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

FRIDAY, JANUARY 15, 1909,

FOR ENGINEER'S SUPPLIES, LUMBER, PAINTS, GLASS AND OILS, MEDICAL SUPPLIES, HORSES.

All bids and quotations shall be subject to the following cash discounts: Five per cent. for payment within ten days, 3 per cent. for payment within thirty days, and 2 per cent. for payment within sixty days after goods are delivered; or, in case of regular deliveries under contract, similar discounts for payment within similar intervals after the last day of the month in which such deliveries of goods are made.

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

The time for the delivery of the supplies and the full performance of the contract is on or before December 31, 1909.

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

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

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

Dated January 4, 1909.

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

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

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

FRIDAY, JANUARY 15, 1909,

FOR CANNED GOODS, BREAD, ICE, BUTTER, EGGS, GROCERIES, PROVISIONS, HAY, OATS, CROCKERY, GLASSWARE, HARDWARE, PLATED WARE, GRANITE WARE, MUSLIN, RUBBER GOODS, UNIFORMS, HARNESS, MISCELLANEOUS, ETC.

All bids and quotations shall be subject to the following cash discounts: Five per cent. for payment within ten days; 3 per cent. for payment within thirty days, and 2 per cent. for payment within sixty days after goods are delivered; or, in case of regular deliveries under contract similar discounts for payment within similar intervals after the last day of the month in which such deliveries of goods are made.

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

The time for the delivery of the supplies and the full performance of the contract is on or before December 31, 1909.

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

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

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

Dated January 4, 1909.

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

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

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

FRIDAY, JANUARY 15, 1909,

FOR MEATS, FISH, MILK AND POULTRY.

All bids and quotations shall be subject to the following cash discounts: Five per cent. for payment within ten days; 3 per cent. for payment within thirty days, and 2 per cent. for payment within sixty days after goods are delivered; or, in case of regular deliveries under contract similar discounts for payment within similar intervals after the last day of the month in which such deliveries of goods are made.

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

The time for the delivery of the supplies and the full performance of the contract is on or before December 31, 1909.

The bids will be compared and the contract awarded at a lump or aggregate sum to the lowest bidder as soon thereafter as practicable, according to law.

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

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

Dated January 4, 1909.

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

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

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

FRIDAY, JANUARY 8, 1909.

##### FOR COAL.

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

The time for the delivery of the supplies and the full performance of the contract is on or before December 31, 1909.

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

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

Dated December 26, 1908.

JOHN W. BRANNAN,

President, Board of Trustees.

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

#### MUNICIPAL CIVIL SERVICE COMMISSION.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, JANUARY 4, 1909.

PUBLIC NOTICE IS HEREBY GIVEN OF the proposed amendment of the classification of exempt positions, under the heading "Department of Correction," by including therein the following:

Telephone Operator.

A public hearing will be had on the proposed amendment, in accordance with Rule III, at the Commission's offices, No. 299 Broadway, on

WEDNESDAY, JANUARY 6, 1909,

at 10 o'clock in the forenoon.

F. A. SPENCER, Secretary.

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, DECEMBER 23, 1908.

PUBLIC NOTICE IS HEREBY GIVEN

that applications will be received from

WEDNESDAY, DECEMBER 23, UNTIL 4 P. M. WEDNESDAY, JANUARY 6, 1909,

for the position of

POLICE MATRON.

(NO APPLICATION RECEIVED BY THE COMMISSION, BY MAIL OR OTHERWISE, AFTER 4 P. M. ON JANUARY 6 WILL BE ACCEPTED.)

The subjects and weights of the examination are as follows:

Physical examination..... 50%  
Mental examination..... 50%

Seventy per cent. required on each.

##### Mental Examination.

Duties ..... 6  
Experience ..... 3  
Report ..... 1

Age limits, 30 to 40 years.

Candidates must be prepared to pass a physical examination as closely approaching that set for Patrolman, Police Department, as differences of sex and age will permit. This examination will be strict.

Attention is called to the following provision in the Charter:

"No woman shall be appointed a Police Matron unless suitable for the position and recommended therefor in writing by at least twenty women of good standing, residents of The City of New York."

These recommendations need not be presented before examination.

Candidates must be citizens of the United States, either by birth, by naturalization themselves, or by their husbands' citizenship, or by parents' naturalization while minors.

Candidates who can show a proficiency in foreign languages will be preferred, other things being equal.

Due notice will be given of the dates of the physical and mental examinations.

There is one vacancy.

Salary, \$1,000 per annum.

F. A. SPENCER, Secretary.

d23,16

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299 BROADWAY, NEW YORK, DECEMBER 22, 1908.

PUBLIC NOTICE IS HER

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299  
BROADWAY, NEW YORK, December 21, 1908.

**PUBLIC NOTICE IS HEREBY GIVEN**  
that the time for receiving applications for  
the position of

**DIETITIAN (MALE AND FEMALE)**

has been extended to 4 p. m., Monday, January  
18, 1909.

(NO APPLICATION RECEIVED BY THE  
COMMISSION, BY MAIL OR OTHERWISE,  
AFTER 4 P. M. ON JANUARY 18 WILL BE  
ACCEPTED.)

The examination will be held on Friday,  
February 5, 1909, at 10 a. m.

The subjects and weights of the examination  
are as follows:

Special paper ..... 6  
Experience ..... 4

A percentage of 70 will be required.

Candidates must have had a two years' course  
in an approved school of domestic science, or its  
equivalent, and should also have had some ex-  
perience in the administration of the dietary de-  
partment of an institution.

The examination is not limited to residents of  
the State of New York, and the rule requiring  
that every application shall bear the certificates of  
four residents of The City of New York is waived  
for this examination.

About ten vacancies exist in the Department of  
Public Charities and Bellevue and Allied Hos-  
pitals.

The requirement of citizenship is waived for  
this examination.

Salary, from \$720 to \$1,500 per annum.  
Minimum age, 21 years.

F. A. SPENCER, Secretary.  
d21,j4

MUNICIPAL CIVIL SERVICE COMMISSION, No. 299  
BROADWAY, CITY OF NEW YORK.

**PUBLIC NOTICE WILL BE GIVEN OF**  
all competitive examinations two weeks in  
advance of the date upon which the receipt of  
applications for any scheduled examination will  
close. Applications will be received for only  
such examinations as are scheduled. No applica-  
tion will be accepted at the office of the Com-  
mission, by mail or otherwise, after the closing  
hour for the receipt of same set forth in the  
advertisement.

When an examination is advertised, a person  
desiring to compete in the same may obtain an  
application blank upon request made in writing  
or by personal application at the office of the  
Commission, Room 1109.

The Commission cannot guarantee that applica-  
tions mailed in response to written requests will  
be received in time to permit of their being pre-  
pared and filed prior to closing hour.

All notices of examinations will be posted in  
the office of the Commission, and advertised in  
the CITY RECORD for two weeks in advance of the  
date upon which the receipt of applications will  
close for any stated position.

Public notice will also be given by advertise-  
ment in most of the City papers.

Wherever an examination is of a technical  
character, due notice is given by advertisement  
in the technical journals appertaining to the par-  
ticular profession for which the examination is  
called.

Such notices will be sent to the daily papers  
as matters of news. The scope of the examina-  
tion will be stated, but for more general infor-  
mation application should be made at the office of  
the Commission.

Specimen questions of previous examinations  
may be obtained at Room 1108.

Unless otherwise specifically stated, the mini-  
mum age requirement for all positions is 21.

FRANK L. POLK,

President;  
R. ROSS APPLETON,  
ARTHUR J. O'KEEFE,  
Commissioners.

FRANK A. SPENCER,  
Secretary.

## DEPARTMENT OF PUBLIC CHARITIES.

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF  
EAST TWENTY-SIXTH STREET, NEW YORK.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE**  
received by the Department of Public  
Charities at the above office until 2.30 o'clock  
p. m. on

**FRIDAY, JANUARY 15, 1909.**

FOR PROVIDING ALL THE LABOR AND  
MATERIALS REQUIRED FOR THE IN-  
SPECTION AND MAINTENANCE OF ELEC-  
TRICAL APPARATUS ON BLACKWELL'S  
ISLAND, THE CENTRAL OFFICE, THE  
BUREAU OF DEPENDENT ADULTS AND  
MORGUE, BOROUGH OF MANHATTAN,  
THE CITY OF NEW YORK.

The time allowed for the completion of the  
work and full performance of the contract is  
during the year 1909.

The security required will be One Thousand  
Dollars (\$1,000).

The bidder will state one aggregate price for  
the whole work described and specified, as the  
contract is entire for a complete job.

Blank forms and further information may be  
obtained at the office of the Supervising En-  
gineer of the Department, foot of East Twenty-  
sixth street, The City of New York, where plans  
and specifications may be seen.

ROBERT W. HEBBERD, Commissioner.  
j215

**See General Instructions to Bid-  
ders on the last page, last column, of  
the "City Record."**

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF  
EAST TWENTY-SIXTH STREET, NEW YORK.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE**  
received by the Department of Public  
Charities at the above office until 2.30 o'clock  
p. m. on

**WEDNESDAY, JANUARY 13, 1909,**

FOR FURNISHING ALL THE WORK,  
LABOR, SERVICES AND MATERIALS RE-  
QUIRED FOR THE EXTERMINATION OF  
RATS AND MICE, AND FOR THE EXTER-  
MINATION OF ROACHES AND WATER  
BUGS.

The time for the performance of the contract  
is during the year 1909.

The amount of security required is One Hun-  
dred and Fifty Dollars (\$150) on each line or  
item.

The bidder will state the price for each line  
or item, by which the bids will be tested. The  
extensions must be made and footed up, as the  
bids will be read from the total and awards  
made to the lowest bidder on each line or item,  
as stated in the specifications.

Blank forms and further information may be  
obtained at the office of the Department, foot  
of East Twenty-sixth street, Borough of Man-  
hattan.

ROBERT W. HEBBERD, Commissioner.  
The City of New York, January 2, 1909.  
j213

**See General Instructions to Bid-  
ders on the last page, last column, of  
the "City Record."**

DEPARTMENT OF PUBLIC CHARITIES, FOOT OF  
EAST TWENTY-SIXTH STREET, NEW YORK.

BOROUGH OF BROOKLYN AND QUEENS.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

**SEALED BIDS OR ESTIMATES WILL BE**  
received by the Department of Public  
Charities at the above office until 2.30 o'clock  
p. m. on

**FRIDAY, JANUARY 15, 1909.**

No. 1. FOR PROVIDING ALL THE LA-  
BOR AND MATERIALS REQUIRED FOR  
THE INSPECTION AND MAINTENANCE  
OF ELECTRICAL APPARATUS AT THE  
KINGS COUNTY HOSPITAL, BOROUGH OF  
BROOKLYN, THE CITY OF NEW YORK.

No. 2. FOR PROVIDING ALL THE LA-  
BOR AND MATERIALS REQUIRED FOR  
THE INSPECTION, MAINTENANCE AND  
REPAIRS TO THE ELEVATORS AND MO-  
TORS, REGULATING DEVICES AND MA-  
CHINERY ON THE BASE, WITH ALL DE-  
VICES THERETO NECESSARY TO MAIN-  
TAIN SUCH IN OPERATIVE CONDITION  
AT THE CUMBERLAND STREET HOS-  
PITAL, BOROUGH OF BROOKLYN, THE  
CITY OF NEW YORK.

The time allowed for the completion of the  
work and full performance of both contracts is  
during the year 1909.

The security required will be Five Hundred  
Dollars (\$500) on Contract No. 1, and Three  
Hundred Dollars (\$300) on Contract No. 2.

The bidder will state one aggregate price for  
each contract, described and specified, as each  
contract is entire for a complete job.

Blank forms and further information may be  
obtained at the office of the Supervising En-  
gineer of the Department, foot of East Twenty-  
sixth street, Borough of Manhattan, The City  
of New York, where plans and specifications  
may be seen.

ROBERT W. HEBBERD, Commissioner.  
Dated January 2, 1909.  
j215

**See General Instructions to Bid-  
ders on the last page, last column, of  
the "City Record."**

## DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

DEPARTMENT OF WATER SUPPLY, GAS AND ELEC-  
TRICITY, ROOM 1536, NOS. 13 TO 21 PARK ROW,  
BOROUGH OF MANHATTAN, CITY OF NEW YORK.

NOTICE OF SALE AT AUCTION.

**ON FRIDAY, JANUARY 8, 1909,**

at 11 o'clock a. m., the Department of Water  
Supply, Gas and Electricity will sell at public  
auction to the highest bidder, by Sam Vorzimer,  
Auctioneer, at the East New York Repair Yard,  
No. 137 Jamaica avenue, Brooklyn, N. Y., the  
following parcels:

Parcel "A."

150 tons scrap iron.  
2,500 pounds scrap brass.  
600 pounds old rubber.

TERMS OF SALE.

The upset price at which this material will  
be sold is as follows:

Nine Dollars per ton for scrap iron.  
Eight Cents per pound for scrap brass.  
\_\_\_\_\_ per pound for old rubber.

No bid below this price will be considered or  
accepted.

The sale of the material will be based on  
delivery on the ground, but the purchaser or  
purchasers must agree to have the material  
weighed at the nearest public scale to the point  
where the material is sold.

Successful bidders must make cash payment in  
bankable funds at the time and place of sale.

Bids will be received for one or both lots of  
this material, but no bid will be considered or  
accepted for less than the entire quantity in  
each case.

The purchaser or purchasers must remove all  
the material within ten days after the sale,  
otherwise he or they will forfeit the money paid  
at the time of sale and the ownership to the  
material, which will thereafter be resold for the  
benefit of the City. The purchaser or pur-  
chasers must remove the material under the  
supervision of an employee of the Department,  
and will not be allowed to select material for  
removal at will.

JOHN H. O'BRIEN, Commissioner.  
d29,j8

## BOARD OF ASSESSORS.

**PUBLIC NOTICE IS HEREBY GIVEN TO**  
the owner or owners of all houses and lots,  
improved or unimproved lands affected thereby,  
that the following proposed assessments have  
been completed and are lodged in the office of  
the Board of Assessors for examination by all  
persons interested, viz:

**Borough of Manhattan.**

List 358, No. 1. Paving with asphalt block  
pavement, curbing and recubing, West One Hun-  
dred and Fifty-first street, from Macombs Dam  
road to Bradhurst avenue.

List 359, No. 2. Paving with asphalt block  
pavement, curbing and recubing, West One  
Hundred and Thirty-fifth street, from Convent  
avenue to Amsterdam avenue.

List 360, No. 3. Paving with asphalt block  
pavement, curbing and recubing, West One  
Hundred and Fifty-second street, from Macombs  
Dam road to Bradhurst avenue.

List 381, No. 4. Paving with asphalt block  
pavement, curbing and recubing, West One Hun-  
dred and Thirty-sixth street, from Convent ave-  
nue to Amsterdam avenue.

**Borough of The Bronx.**

List 276, No. 5. Paving with sheet asphalt  
and curbing Beekman avenue, from East One  
Hundred and Forty-first street to St. Marys  
street.

List 312, No. 6. Paving with asphalt blocks  
and curbing Grant avenue, between East One  
Hundred and Sixty-first street and East One  
Hundred and Sixty-fifth street.

List 315, No. 7. Repairing sidewalks and  
placing guard rail at the southwest corner of  
Kelly street and One Hundred and Sixty-seventh  
street.

List 317, No. 8. Temporary sewer in Kings-  
bridge road, between Two Hundred and Thirty-  
second street (Eighteenth street) and Two Hun-  
dred and Thirty-third street (Nineteenth street),  
Wakefield.

List 363, No. 9. Sewer and appurtenances in  
Anthony avenue, between Burnside avenue and  
East One Hundred and Eightieth street.

List 365, No. 10. Receiving basins and ap-  
purtenances at the southeast corner of Garrison  
avenue and Hunts Point road; northwest corner  
of Garrison avenue and Faile street; southwest  
and southeast corners of Garrison avenue and  
Faile street; northwest corner of Garrison ave-  
nue and Bryant avenue; northwest and north-  
east corners of Garrison avenue and Whittier  
street; northeast corner of Inwood avenue and  
Clarke place; west side of Inwood avenue, op-  
posite Clarke place; northeast corner of Creston  
avenue and East One Hundred and Eighty-second  
street; northwest and northeast corners of West  
One Hundred and Ninety-second street and Grand  
avenue.

List 366, No. 11. Sewer and appurtenances  
in the Grand Boulevard and Concourse (west  
side), between East One Hundred and Eighty-  
first street and East One Hundred and Eighty-  
third street.

The limits within which it is proposed to lay  
the said assessments include all the several houses  
and lots of ground, vacant lots, pieces and par-  
cels of land situated on—

No. 1. Both sides of One Hundred and Fifty-  
first street, from Macombs Dam road to Brad-  
hurst avenue, and to the extent of half the block  
at the intersecting and terminating streets and  
avenues.

No. 2. Both sides of One Hundred and Thirty-  
second street, from Convent avenue to Amsterdam  
avenue, and to the extent of half the block at  
the intersecting streets and avenues.

No. 3. Both sides of One Hundred and Fifty-  
second street, from Macombs Dam road to Brad-  
hurst avenue, and to the extent of half the block  
at the intersecting streets and avenues.

No. 4. Both sides of One Hundred and Thirty-  
sixth street, from Convent avenue to Amsterdam  
avenue, and to the extent of half the block at the  
intersecting streets and avenues.

No. 5. Both sides of Beekman avenue, from One  
Hundred and Forty-first street to St. Marys  
street, and to the extent of half the block at the  
intersecting streets and avenues.

No. 6. Both sides of Grant avenue, from One  
Hundred and Sixty-second street to One Hundred  
and Sixty-fifth street, and to the extent of half  
the block at the intersecting streets and ave-  
nues.

No. 7. West side of Kelly street, from its in-  
tersection with One Hundred and Sixty-seventh  
street to a point about 90 feet southerly; south  
side of One Hundred and Sixty-seventh street,  
from its intersection with Kelly street to a  
point about 100 feet westerly.

No. 8. Both sides of Kingsbridge road, from Two  
Hundred and Thirty-second street to Two Hun-  
dred and Thirty-third street.

No. 9. Both sides of Anthony avenue, from  
Burnside avenue to One Hundred and Eightieth  
street.

No. 10. Both sides of Garrison avenue, from  
Hunts Point road to Bryant avenue; east side  
of Irvine street, from Seneca avenue to Garrison  
avenue; east side of Hunts Point road, from  
Seneca avenue to Garrison avenue; both sides of  
Faile street, from Seneca avenue to Garrison  
avenue; north side of Garrison avenue, from  
Longfellow avenue to Edgewater road; both sides  
of Whittier street, from Garrison avenue to  
Whitlock avenue; south side of One Hundred  
and Seventieth street, from Cromwell avenue to  
Macombs road; both sides of Inwood avenue,  
from Clarke place to One Hundred and Seven-  
tieth street; northeast side of Clarke place, from  
Inwood avenue to Jerome avenue; north side  
of One Hundred and Eighty-second street, from  
Creston avenue to the Grand Boulevard and  
Concourse; east side of Creston avenue, from  
One Hundred and Eighty-second street to One  
Hundred and Eighty-third street; both sides of  
Grand avenue, from One Hundred and Ninety-  
second street to Kingsbridge road.

No. 11. West side of the Grand Boulevard and  
Concourse, between One Hundred and Eighty-  
first and One Hundred and Eighty-third streets,  
including inside Lot No. 19 on Block 3162 and  
Lot No. 26 1/2 of Block 3163.

All persons whose interests are affected by the  
above named proposed assessments, and who are  
opposed to the same, or either of them, are re-  
quested to present their objections, in writing, to  
the Secretary of the Board of Assessors, No. 320  
Broadway, New York, on or before February  
2, 1909, at 11 a. m., at which time and place the  
said objections will be heard and testimony re-  
ceived in reference thereto.

ANTONIO ZUCCA,

PAUL WEIMANN,

JAMES H. KENNEDY,

Board of Assessors.

WILLIAM H. JASPER, Secretary.  
No. 320 Broadway, City of New York, Borough  
of Manhattan, December 31, 1908.  
d31,j12

**PUBLIC NOTICE IS HEREBY GIVEN TO**  
the owner or owners of all houses and lots,  
improved or unimproved lands affected thereby,  
that the following proposed assessments have  
been completed and are lodged in the office of  
the Board of Assessors for examination by all  
persons interested, viz:

**Borough of Brooklyn.**

List 9768, No. 1. Regulating, grading, curb-  
ing, paving with asphalt and laying cement side-  
walks on Ninety-sixth street, between Shore road  
and Marine avenue.

List 9780, No. 2. Regulating, grading, curb-  
ing and laying cement sidewalks on Martense street,  
between Rogers and Nostrand avenues.

List 9797, No. 3. Regulating, grading, curb-  
ing and laying cement sidewalks on Thirty-eighth  
street, between Third and Fifth avenues, to-  
gether with a list of awards for damages caused  
by a change of grade.

List 9811, No. 4. Grading, paving with as-  
phalt and curbing Degraw street, between Clas-  
son and Washington avenues.

List 9819, No. 5. Regulating, grading, curb-  
ing and laying concrete sidewalks on New Utrecht  
avenue and the old City line.

List 9823, No. 6. Regulating, grading, curb-  
ing and laying concrete sidewalks on Newkirk ave-  
nue between Flatbush avenue and East Seven-  
teenth street.

List 9867, No. 7. Regulating, grading, curb-  
ing and laying cement sidewalks on Seventy-second  
street, between Second avenue and Shore road.

List 9870, No. 8. Regulating, grading, curb-  
ing and laying concrete sidewalks on Degraw  
avenue, except the right of way of the Brighton  
Beach Railroad, together with a list of awards  
for damages caused by a change of grade.

List 9875, No. 9. Regulating, grading, curb-  
ing and laying cement sidewalks on Rogers avenue,  
between Park place and Montgomery street.

List 9883, No. 10. Regulating, grading, curb-  
ing and laying sidewalks on East Twenty-eighth  
street, between Newkirk and Foster avenues.

List 9913, No. 11. Regulating, grading, curb-  
ing and laying cement sidewalks on East Twen-

ty-ninth street, between Farragut and Glenwood  
roads, together with a list of awards for dam-  
ages caused by a change of grade.

List 102, No. 12. Paving with asphalt Milford  
street, between Pitkin avenue and New Lots road.

List 190, No. 13. Laying cement sidewalks on  
the northwest side of Bay Twenty-ninth street,  
between Bath and Benson avenues; north side of  
Eighty-sixth street, between Twenty-second and  
Twenty-third avenues; east side of Third avenue,  
between Carroll and First streets; west side of  
Third avenue, between Carroll street and lateral  
canal; north side of Butler street, between Third  
and Fourth avenues; north side of Sackett street,  
between Third and Fourth avenues.

List 204, No. 14. Laying cement sidewalks on  
the east side of Sixth avenue, between Forty-  
fifth and Forty-seventh streets, and between Fifti-  
eth and Fifty-eighth streets.

List 205, No. 15. Laying cement sidewalks on  
the east side of Sixth avenue, between Fifty-ninth  
and Sixtieth streets; west side, between Forty-  
fourth and Fifty-fourth streets, and between Fifti-  
sixth and Fifty-seventh streets.

List 206, No. 16. Laying cement sidewalks on  
the south side of Seventy-ninth street, between  
Fort Hamilton and Seventh avenues; both sides  
of Twenty-third avenue, between Eighty-sixth  
street and Benson avenue, and between Cropsey  
avenue and Bath avenue.

The limits within which it is proposed to lay  
the said assessments include all the several houses  
and lots of ground, vacant lots, pieces and par-  
cels of land situated on—

No. 1. Both sides of Ninety-sixth street, be-  
tween Shore road and Marine avenue, and to  
the extent of half the block at the intersecting  
streets.

No. 2. Both sides of Martense street, between  
Rogers and Nostrand avenues, and to the extent  
of half the block at the intersecting streets.

No. 3. Both sides of Thirty-eighth street, be-  
tween Third and Fifth avenues, and to the extent  
of half the block at the intersecting streets.

No. 4. Both sides of Degraw street, between  
Classon and Washington avenues, and to the extent  
of half the block at the intersecting streets.

No. 5. Both sides of Fifty-first street, between  
New Utrecht avenue and the old City line, and  
to the extent of half the block at the intersecting  
streets.

No. 6. Both sides of Newkirk avenue, between  
Flatbush avenue and East Seventeenth street, and  
to the extent of half the block at the intersecting  
streets.

No. 7. Both sides of Seventy-second street, be-  
tween Second avenue and Shore road, and to  
the extent of half the block at the intersecting  
streets.

No. 8. Both sides of Degraw street, between  
Classon and Franklin avenues, and to the extent  
of half the block at the intersecting streets.

No. 9. Both sides of Rogers avenue, between  
Park place and Montgomery street, and to the  
extent of half the block at the intersecting  
streets.

No. 10. Both sides of East Twenty-eighth street,  
between Newkirk and Foster avenues, and to  
the extent of half the block at the intersecting  
streets.

No. 11. Both sides of East Twenty-ninth street,  
between Farragut and Glenwood roads, and to  
the extent of half the block at the intersecting  
streets.

No. 12. Both sides of Milford street, between  
Pitkin avenue and New Lots road, and to the  
extent of half the block at the intersecting  
streets.

No. 13. Lots Nos. 1, 68 and 69 of Block 6413  
on the northwest side of Bay Twenty-third street,  
between Bath and Benson avenues; northeast cor-  
ner of Eighty-sixth street and Twenty-second ave-  
nue; both sides of Third avenue, between Carroll  
street and Lateral Canal (First street); north side  
of Butler street, between Third and Fourth ave-  
nues; north side of Sackett street, between Third  
and Fourth avenues.

No. 14. East side of Sixth avenue, between  
Forty-fifth and Forty-seventh streets, and between  
Fiftieth and Fifty-eighth streets.

No. 15. East side of Sixth avenue, between  
Fifty-ninth and Sixtieth streets; west side, be-  
tween Forty-fourth and Fifty-fourth streets, and  
between Fifty-sixth and Fifty-seventh streets.

No. 16. South side of Seventy-ninth street, be-  
tween Seventh and Fort Hamilton avenues; both  
sides of Twenty-third avenue, between Eighty-  
sixth street and Benson avenue, and between  
Cropsey and Bath avenues.

All persons whose interests are affected by the  
above named proposed assessments, and who are  
opposed to the same, or either of them, are re-  
quested to present their objections, in writing, to  
the Secretary of the Board of Assessors, No. 320  
Broadway, New York, on or before January 26,  
1909, at 11 a. m., at which time and place the  
said objections will be heard and testimony re-  
ceived in reference thereto.

ANTONIO ZUCCA,

PAUL WEIMANN,

JAMES H. KENNEDY,

Board of Assessors.

WILLIAM H. JASPER, Secretary.  
No. 320 Broadway, City of New York, Borough  
of Manhattan, December 24, 1908.  
d24,j7

## DEPARTMENT OF FINANCE.

NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF THE**  
Greater New York Charter, the Comptroller  
of The City of New York hereby gives public  
notice to all persons, owners of property, affect-

receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon or before March 1, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance, Comptroller's Office, December 31, 1908.

j4,16

#### NOTICE TO PROPERTY OWNERS.

**I**N PURSUANCE OF SECTION 1018 OF the Greater New York Charter, the Comptroller of the City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

Pursuant to the provisions of chapter 644 of the Laws of 1893, for improvements in Long Island City, to wit:

**No. 1. SEWERS ON THE CRESCENT, BETWEEN NOTT AVENUE AND JANE STREET; PROSPECT STREET, BETWEEN HARRIS AVENUE AND JANE STREET; JANE STREET, BETWEEN THE CRESCENT AND HUNTER AVENUE; HUNTER AVENUE, BETWEEN THIRTEENTH STREET AND SKILLMAN AVENUE.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of the Crescent, from Jane street to Nott avenue; both sides of Prospect street, from Jane street to Harris avenue; both sides of Hunter avenue, from Skillman avenue to Thirteenth street; both sides of Jane street, from the Crescent to Hunter avenue.

**No. 2. PIPE SEWER AND APPURTENANCES ON STEINWAY AVENUE, BETWEEN WASHINGTON AND POTTER AVENUES, AND ON BROADWAY, BETWEEN VERNON AVENUE AND NEWTOWN ROAD.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Steinway avenue, from Washington avenue to Potter avenue; both sides of Broadway, from Vernon avenue to Newtown road.

**No. 3. SEWERS AND APPURTENANCES ON HARRIS AVENUE, FROM BULKHEAD LINE OF THE EAST RIVER TO HUNTER AVENUE, THROUGH HUNTER AVENUE TO HENRY STREET, THROUGH THE CRESCENT TO JANE STREET.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Harris avenue, from the bulkhead line of the East River to Hunter avenue; both sides of the Crescent, from a point about two hundred and fifty feet east of Wilbur avenue to Nott avenue; both sides of Hunter avenue, from Harris avenue to Skillman avenue; both sides of Vernon avenue, from Charles street to Harris avenue; both sides of Hamilton street, from Harris avenue to a point about two hundred and fifty-three feet south of Bodine street; both sides of Hancock street, from a point about two hundred and forty feet north of Harris avenue to a point about one hundred and thirty feet south of Bodine street; both sides of Boulevard, from a point about two hundred and forty feet north of Harris avenue to Fourteenth street; both sides of Sherman place, from a point about one hundred and forty feet north of Harris avenue to Fourteenth street; both sides of Van Alst avenue, from Harris avenue to a point about one hundred feet south of Thirteenth street; both sides of Governor place, from Harris avenue to Fourteenth street; both sides of Ely avenue, from Jane street to a point about one hundred feet south of Thirteenth street; east side of Ely avenue, extending about one hundred and twenty-five feet north of Jane street; both sides of William street, from Wilbur avenue to Thirteenth street; both sides of Prospect street, from a point about two hundred and twenty-five feet north of Wilbur avenue to Harris avenue; both sides of Radde street, from a point about two hundred and twenty-five feet north of Wilbur avenue to Henry street; both sides of Academy street, from Wilbur avenue to Jane street; north side of Skillman avenue, extending about sixty feet east of Hunter avenue; both sides of Thirteenth street, from the Crescent to Van Alst avenue; both sides of Fourteenth street, from Ely avenue to a point about one hundred and fifty feet west of Boulevard; both sides of Bodine street, from Sherman street to Vernon avenue; both sides of Wallace street, extending about one hundred and sixty-four feet west of Vernon avenue; both sides of Henry street, from Jackson avenue to Ely avenue; both sides of Jane street, from Hunter avenue to Ely avenue; both sides of Wilbur avenue, from Skillman avenue to Academy street, and from Academy street to William street.

**No. 4. TRUNK SEWER AND APPURTENANCES ON BROADWAY, FROM THE EAST RIVER TO ACADEMY STREET; ON ACADEMY STREET TO GRAHAM AVENUE; ON GRAHAM AVENUE TO FIFTY FEET EAST OF ACADEMY STREET; ON GRAHAM AVENUE, FROM FIFTY FEET EAST OF ACADEMY STREET TO FORTY FEET WEST OF STEINWAY AVENUE; ON STEINWAY AVENUE, FROM PIERCE AVENUE TO VANDEVENTER AVENUE, AND ON GRAHAM AVENUE, FROM FORTY FEET WEST OF STEINWAY AVENUE TO EAST LINE OF STEINWAY AVENUE; ON GRAHAM AVENUE, FROM STEINWAY AVENUE TO STEMLER STREET, THROUGH STEMLER STREET TO BROADWAY, AND ON BROADWAY, EASTERLY TO BALDWIN STREET AND WESTERLY TO GRACE STREET.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Broadway, from Newtown road to East River; both sides of Graham avenue, from Baldwin street to Vernon avenue; both sides of Stemler street, from Graham avenue to Vandeventer avenue; both sides of Steinway avenue, from Washington avenue to a point about seven hundred feet north of Vandeventer avenue; both sides of Academy street, from Pierce avenue to a point about one hundred and forty-five feet north of Elm street; both sides of Newtown road, from a point about three hundred and fifty feet south of Wallace street to Grand avenue; west side of Old Bowery Bay road, from Grand avenue to

Wilson avenue; both sides of Wallace street, from a point about two hundred feet south of Grand avenue to Vandeventer avenue; both sides of Cabinet street, from a point about three hundred and ten feet south of Grand avenue to Wilson avenue; both sides of Baldwin street, from Graham avenue to Wilson avenue; both sides of Oakley street, from Graham avenue to a point about three hundred and eighty feet north of Wilson avenue; both sides of Titus street, from Graham avenue to a point about three hundred and sixty-five feet north of Wilson avenue; both sides of Luyster street, from Graham avenue to a point about three hundred feet north of Wilson avenue; both sides of Grace street, from Graham avenue to Vandeventer avenue; both sides of Winans street, from Pierce avenue to a point about three hundred feet north of Vandeventer avenue; both sides of Albert street, from a point about four hundred and five feet south of Pierce avenue to a point about five hundred feet north of Vandeventer avenue; both sides of Kouwenhoven street, from a point about two hundred and seventy-five feet south of Pierce avenue to a point about five hundred and twenty-five feet north of Jamaica avenue; both sides of Pomeroy street, from a point about two hundred and fifty feet south of Pierce avenue to a point about six hundred and fifteen feet north of Jamaica avenue; both sides of Blackwell street, from Pierce avenue to a point about six hundred and fifteen feet north of Jamaica avenue; both sides of Bartow street, from a point about one hundred and twenty feet south of Pierce avenue to a point about six hundred and seventy feet north of Jamaica avenue; both sides of Briell street, from a point about one hundred feet south of Washington avenue to a point about six hundred and fifteen feet north of Jamaica avenue; both sides of Rapelje avenue, from a point about one hundred feet south of Washington avenue to a point about six hundred and ten feet north of Jamaica avenue; both sides of Lathrop street, from a point about one hundred feet south of Washington avenue to a point about five hundred and seventy feet north of Jamaica avenue; both sides of Lockwood street, from a point about one hundred and seventy feet south of Washington avenue to a point about five hundred and twenty-six feet north of Jamaica avenue; both sides of Debevoise avenue, from a point about one hundred feet south of Washington avenue to a point about five hundred feet north of Radde street, from Pierce avenue to Ridge street; both sides of the Crescent, from a point about two hundred and fifty feet south of Graham avenue to Whitney street; both sides of William street, extending about one hundred and fifty feet south of Graham avenue; both sides of Ely avenue, from a point about one hundred and fifty feet south of Graham avenue to a point about two hundred and ten feet north of Temple street; both sides of Van Alst avenue, from a point about one hundred and fifty feet south of Graham avenue to Grand avenue; both sides of Sunswick street, extending about two hundred and thirty feet south of Graham avenue; both sides of Hopkins avenue, from a point about three hundred and fifty feet south of Graham avenue to Elm street; both sides of Marion street, from a point about two hundred and twenty-five feet south of Graham avenue to Ridge street; both sides of Sherman street, from a point about two hundred and twenty feet south of Graham avenue to Elm street; both sides of Boulevard, from a point about five hundred and sixty feet south of Graham avenue to a point about two hundred and thirty feet north of Jamaica avenue; both sides of Hancock street, from a point about four hundred and twenty-five feet south of Graham avenue to Vernon avenue; both sides of Hamilton street, from a point about five hundred feet south of Graham avenue to Vernon avenue; both sides of Vernon avenue, from a point about three hundred and sixty feet south of Graham avenue to Boulevard; both sides of Washington avenue, from a point about one hundred feet east of Briell street to Lockwood street; both sides of Pierce avenue, from a point about one hundred feet east of Winans street to Radde street; both sides of Jamaica avenue, from Baldwin street to the East River; both sides of Grand avenue, from Old Bowery Bay road to Steinway avenue; both sides of Wilson avenue, from Old Bowery Bay road to a point about one hundred feet west of Luyster street; both sides of Orange street and Dey street, from the Crescent to Hopkins avenue; both sides of Elm street, from Debevoise avenue to Sherman street; both sides of Temple street, from the Crescent to Van Alst avenue; both sides of Whitney street, extending about two hundred and seventy-five feet east of the Crescent; both sides of Sanford street, from Sherman street to the East River.

**No. 5. REGULATING AND PAVING STEINWAY AVENUE, BETWEEN JACKSON AVENUE AND POTTER AVENUE.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Steinway avenue, from Jackson avenue to Potter avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

**No. 6. TRUNK SEWER AND APPURTENANCES ON HOYT AVENUE, FROM THE BULKHEAD LINE OF THE EAST RIVER TO DEBEVOISE AVENUE, THROUGH DEBEVOISE AVENUE TO WOOLSEY AVENUE AND THROUGH WOOLSEY AVENUE TO STEINWAY AVENUE.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Hoyt avenue, from Rapelje avenue to the East River; both sides of Debevoise avenue, from Newtown street to Ditmars avenue; both sides of Woolsey avenue, from Van Alst avenue to Steinway avenue; both sides of Luyster street, extending about five hundred feet south of Flushing avenue; both sides of Stemler street and Grace street, from Vandeventer avenue to Flushing avenue; both sides of Purdy street and Theodore street, from Flushing avenue to Potter avenue; both sides of Winans street, from Flushing avenue to a point about seven hundred feet south of Wilson avenue; both sides of Albert street, from Potter avenue to a point about four hundred and eighty-five feet south of Wilson avenue; both sides of Steinway avenue, from a point about six hundred and thirty feet south of Flushing avenue to a point about eight hundred and thirty feet north of Woolsey avenue; both sides of Kouwenhoven street, from a point about three hundred and twenty-five feet south of Vandeventer street to Woolsey avenue; both sides of Pomeroy street, from a point about two hundred and fifty feet south of Vandeventer avenue to Potter avenue; both sides of Blackwell street, from a point about three hundred and twenty-five feet south of Vandeventer avenue to a point about two hundred and twenty-five feet north of Potter avenue; both sides of Bartow street, from Grand avenue to Ditmars avenue; both sides of Winslow place, extending about two hundred and five feet east of Debevoise avenue; both sides of Briell street, from a point about two hundred and ten feet south of Vandeventer avenue to Flushing avenue; both sides of Rapelje avenue, from Vandeventer avenue to Ditmars avenue; both sides of Chestnut street, from Vandeventer avenue to Flushing avenue; both sides of Park place, from Hoyt avenue to Potter avenue; both sides of Carver street,

from Newtown street to Flushing avenue; both sides of Lawrence street, from Flushing avenue to a point about two hundred and fifty feet north of Ditmars avenue; both sides of Isabella place, extending about six hundred feet south of Flushing avenue; both sides of North Henry street, from Newtown street to Flushing avenue; both sides of Chauncey street, from Hoyt avenue to a point about four hundred and sixty feet north of Ditmars avenue; both sides of Goodrich street, from Flushing avenue to a point about four hundred and thirty feet north of Ditmars avenue; both sides of Merchant street, from Hoyt avenue to a point about five hundred and thirty feet north of Ditmars avenue; both sides of the Crescent, from Newtown street to a point about five hundred and thirty feet north of Ditmars avenue; both sides of Howland street, from Hoyt avenue to Wolcott avenue; both sides of Hallett street, from Flushing avenue to a point about five hundred and thirty feet north of Ditmars avenue; both sides of Weil place, extending about five hundred and ten feet north of Flushing avenue; both sides of Van Alst avenue, from Flushing avenue to Ditmars avenue; both sides of Willow street, from North William street to Hoyt avenue; both sides of Woolsey street, from Trowbridge street to Hoyt avenue; both sides of Remsen street, from Franklin street to Boulevard; both sides of Wardell street, from Franklin street to Boulevard; both sides of Boulevard, from Wardell street to a point about five hundred feet north of Hoyt avenue; both sides of Barclay street, from Hoyt avenue to Cedar place, and from a point about one hundred feet south of Davidson street to Potter avenue; both sides of Edwards street, extending about two hundred feet south of Cedar place; both sides of Emily terrace, beginning at a point three hundred feet south of Woolsey avenue, and extending southerly to the end of said street; both sides of Newtown street, from a point about two hundred and fifty feet south of Debevoise avenue to Van Alst avenue; both sides of Vandeventer avenue, from Steinway avenue to Debevoise avenue; both sides of Wilson avenue, from a point about one hundred feet east of Stemler street to Steinway avenue; both sides of Flushing avenue, from Luyster street to Van Alst avenue; both sides of Potter avenue, from Purdy street to Albert street, and from Pomeroy street to Barclay street; both sides of Ditmars avenue, from Bartow street to Van Alst avenue; both sides of North Washington place, from Hallett street to Willow street; both sides of Franklin street, from Remsen street to Wardell street; both sides of North William street, from Van Alst avenue to Willow street; both sides of Trowbridge street, from Van Alst avenue to Wardell street; both sides of Davidson street, from Hallett street to Edwards street; both sides of Muirson place, from Hallett street to Van Alst avenue; both sides of Phil lips street, from Hallett street to Van Alst avenue; both sides of Cedar place, from Hallett street to Van Alst avenue.

**No. 7. SEWERS AND APPURTENANCES ON JACKSON AVENUE, FROM ANABLE AVENUE TO ONE HUNDRED FEET NORTH OF NOTT AVENUE.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Jackson avenue, from Anable avenue to a point about one hundred feet north of Nott avenue.

**No. 8. SEWERS AND APPURTENANCES ON HENRY STREET, BETWEEN JACKSON AVENUE AND PROSPECT STREET.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Henry street, from Prospect street to a point about one hundred feet east of Hunter avenue.

**No. 9. SEWERS AND APPURTENANCES ON HOPKINS AVENUE, FROM BROADWAY TO ELM STREET; JAMAICA AVENUE, FROM BOULEVARD TO STEINWAY AVENUE; VAN ALST AVENUE, FROM BROADWAY TO JAMAICA AVENUE; LINCOLN STREET, FROM HOPKINS AVENUE TO CRESCENT; CAMELIA STREET, FROM BOULEVARD TO VAN ALST AVENUE; SHERMAN STREET, FROM BROADWAY TO CAMELIA STREET; KOUWENHOVEN STREET, FROM BROADWAY TO GRAND AVENUE.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Hopkins street, from Broadway to Elm street; both sides of Jamaica avenue, from Boulevard to Steinway avenue; both sides of Van Alst avenue, from Broadway to Jamaica avenue; both sides of Lincoln street, from Hopkins avenue to Crescent; both sides of Camelia street, from Boulevard to Van Alst avenue; both sides of Sherman street, from Broadway to Camelia street; both sides of Kouwenhoven street, from Broadway to Grand avenue.

**No. 10. REGULATING, GRADING, PAVING, CURBING, FLAGGING AND LAYING CROSSWALKS IN HENRY STREET, FROM JACKSON AVENUE TO PROSPECT AVENUE.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Henry street, from Prospect avenue to Jackson avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

**No. 11. SEWER APPURTENANCES ON NINTH STREET, BETWEEN JACKSON AND VAN ALST AVENUES; ELEVENTH STREET, BETWEEN JACKSON AND VAN ALST AVENUES; TWELFTH STREET, BETWEEN JACKSON AND VAN ALST AVENUES; ELY AVENUE, BETWEEN JACKSON AND NOTT AVENUES.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Ninth, Eleventh and Twelfth streets, from Jackson avenue to Van Alst avenue; both sides of Ely avenue, from Jackson avenue to Nott avenue; north side of Jackson avenue, from Van Alst avenue to Nott avenue.

**No. 12. REGULATING, GRADING, PAVING, CURBING, FLAGGING AND LAYING CROSSWALKS IN BROADWAY, FROM EAST RIVER TO NEWTOWN ROAD.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Broadway, from the East River to Newtown road, and to the extent of half the block at the intersecting and terminating streets and avenues.

**No. 13. GRADING HUNTER AVENUE, FROM NOTT TO SKILLMAN AVENUE; GRADING, CURBING, FLAGGING, PAVING AND LAYING CROSSWALKS IN PROSPECT STREET, FROM HUNTER AVENUE TO JANE STREET; GRADING, CURBING, FLAGGING, PAVING AND LAYING CROSSWALKS IN CRESCENT, FROM HUNTER AVENUE TO JANE STREET; GRADING, CURBING, GUTTERING AND FLAGGING JANE STREET, FROM HUNTER AVENUE TO CRESCENT; GRADING, CURBING, FLAGGING, PAVING AND LAYING CROSSWALKS IN HARRIS AVENUE, FROM HUNTER AVENUE TO CRESCENT.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Hunter avenue, from Nott avenue to Skillman avenue; both sides of Prospect street, from Hunter avenue to Jane street; both sides of Crescent, from Hunter avenue to Jane street; both sides of Jane street, from Hunter avenue to Crescent; both sides of Harris avenue, from Hunter avenue to Crescent, and to the extent of half the block at all intersecting and terminating streets and avenues.

**No. 14. REGULATING, GRADING, ASPHALTING PAVEMENT, CURBING, FLAGGING AND LAYING CROSSWALKS IN NINTH STREET, BETWEEN JACKSON AVENUE AND VAN ALST AVENUE; TWELFTH STREET, FROM JACKSON TO VAN ALST AVENUE; ELY AVENUE, BETWEEN JACKSON AND NOTT AVENUES.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Ninth, Eleventh and Twelfth streets, from Jackson avenue to Van Alst avenue; both sides of Ely avenue, from Jackson avenue to Nott avenue, and to the extent of half the block at all intersecting and terminating streets and avenues.

**No. 15. REGULATING, GRADING, PAVING, CURBING, FLAGGING AND LAYING CROSSWALKS IN VERNON AVENUE, FROM TENTH STREET TO ONE HUNDRED FEET NORTH OF NOTT AVENUE, KNOWN AS THE BOUNDARY LINE OF THE FIRST WARD IMPROVEMENT DISTRICT.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Vernon avenue, from Tenth street to one hundred feet north of Nott avenue; both sides of Hancock street, from Twelfth street to Nott avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

**No. 16. COMPLETING THE REGULATING, GRADING, CURBING, FLAGGING, LAYING CROSSWALKS AND PAVING OF THE UNFINISHED PART OF JACKSON AVENUE, FROM ANABLE AVENUE TO ONE HUNDRED FEET NORTH OF NOTT AVENUE, KNOWN AS THE NORTHERLY BOUNDARY LINE OF THE FIRST WARD IMPROVEMENT DISTRICT.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land, situated on—

Both sides of Jackson avenue, from Anable avenue to one hundred feet north of Nott avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

**No. 17. REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS IN HOPKINS AVENUE, FROM BROADWAY TO ELM STREET; JAMAICA AVENUE, FROM BOULEVARD TO STEINWAY AVENUE; VAN ALST AVENUE, FROM BROADWAY TO JAMAICA AVENUE; LINCOLN STREET, FROM HOPKINS AVENUE TO CRESCENT; KOUWENHOVEN STREET, FROM BROADWAY TO GRAND AVENUE; CAMELIA STREET AND SHERMAN STREET, BETWEEN BOULEVARD AND HOPKINS AVENUE, AND BETWEEN BROADWAY AND CAMELIA STREET.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Hopkins avenue, from Broadway to Elm street; both sides of Jamaica avenue, from Boulevard to Steinway avenue; both sides of Van Alst avenue, from Broadway to Jamaica avenue; both sides of Lincoln street, from Hopkins avenue to Crescent; both sides of Kouwenhoven street, from Broadway to Grand avenue; both sides of Camelia street, from Boulevard to Hopkins avenue; both sides of Sherman street, from Camelia street to Broadway, and to the extent of half the block at the intersecting and terminating streets and avenues.

**No. 18. EXTRA WORK IN CONNECTION WITH THE REGULATING, GRADING, ETC., OF VERNON AVENUE, FROM TENTH STREET TO ONE HUNDRED FEET NORTH OF NOTT AVENUE, IN THE CONSTRUCTION, RAISING AND RESETTling OF MANHOLES AND RECEIVING BASINS AND APPURTENANCES.**

Area of assessment includes all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

Both sides of Vernon avenue, from a point about one hundred feet south of Eleventh street to Nott avenue; both sides of Hancock street, from Twelfth street to a point about one hundred and thirty-six feet north of Twelfth street; both sides of Eleventh and Twelfth streets, extending about four hundred and twenty-five feet east of Vernon avenue; both sides of Division street, extending about one hundred and eight feet west of Vernon avenue; east side of Vernon avenue, from Nott avenue to Thirteenth street; south side of Thirteenth street, extending about one hundred and forty-six feet east of Hamilton street.

The Board of Assessors has levied and assessed the foregoing assessments in twenty equal annual installments:

The "Sixth Installment" in each case is now due and payable, and hereafter for fourteen years an amount equal to one of the aforesaid annual installments, with interest, shall be assessed upon the lots or parcels of land benefited by said improvements. These assessments were confirmed by the Board of Revision of Assessments on December 29, 1903, and the "Sixth Installment" entered on December 29, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents.

Unless the amount of the sixth installment in each case shall be paid within sixty days after said date of entry, interest shall be charged, collected and received thereon as provided in section 1019 of the Greater New York Charter.

Said section provides that "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears, at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 12 p. m., and on Saturdays from 9 a. m. until 12 p. m., and all payments made thereon on or before February 27, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance, Comptroller's Office, December 29, 1908.

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## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

## EIGHTH WARD, SECTION 3.

**FORTY-FIRST STREET—SEWER,** from the summit west of Seventh avenue to Seventh avenue. Area of assessment: Both sides of Forty-first street, from Sixth to Seventh avenue.

**FIFTY-FOURTH STREET—SEWER,** between Sixth and Seventh avenues. Area of assessment: Both sides of Fifty-fourth street, from Sixth to Seventh avenue.

## EIGHTH WARD, SECTION 3, AND THIRTIETH WARD, SECTION 17.

**EIGHTH AVENUE AND SIXTIETH STREET—SEWER BASINS,** on all four corners. Area of assessment: Both sides of Sixtieth street, between Seventh and Ninth avenues; east side of Seventh avenue and both sides of Eighth avenue, between Fifty-ninth and Sixty-first streets.

## TWENTY-SECOND WARD, SECTION 4.

**SIXTEENTH STREET—GRADING A LOT** on the north side, between Prospect Park West and Tenth avenue. Area of assessment: Lot No. 44 of Block 1106, on the north side of Sixteenth street, between Prospect Park West and Tenth avenue.

## TWENTY-FOURTH WARD, SECTION 5.

**STERLING PLACE—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS,** between Utica and Schenectady avenues. Area of assessment: Both sides of Sterling place, from Utica to Schenectady avenue, and to the extent of half the block at the intersecting streets and avenues.

**UNION STREET, south side—GRADING A LOT,** between Rogers and Bedford avenues, and on **PRESIDENT STREET, north side,** between Rogers and Bedford avenues. Area of assessment: South side of Union street and north side of President street, between Rogers and Bedford avenues, known as Lot No. 24 in Block 1274.

## TWENTY-SIXTH WARD, SECTION 12.

**SUTTER AVENUE—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS,** between Sheffield and Pennsylvania avenues. Area of assessment: Both sides of Sutter avenue, between Sheffield and Pennsylvania avenues, and to the extent of half the block at the intersecting avenues.

## TWENTY-SIXTH WARD, SECTION 13.

**LINCOLN AVENUE—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS,** between Atlantic and Glenmore avenues. Area of assessment: Both sides of Lincoln avenue, between Atlantic and Glenmore avenues, and to the extent of half the block at the intersecting streets.

**TWENTY-SEVENTH WARD, SECTION 11.**  
**HART STREET—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS,** between Wyckoff and St. Nicholas avenues. Area of assessment: Both sides of Hart street, between Wyckoff and St. Nicholas avenues, and to the extent of half the block at the intersecting streets and avenues.

**TWENTY-EIGHTH WARD, SECTION 11.**  
**DE SALES PLACE—PAVING AND CURBING,** between Bushwick avenue and Evergreen Cemetery. Area of assessment: Both sides of De Sales place, between Bushwick avenue and Evergreen Cemetery, and to the extent of half the block at the intersecting streets.

**BLEECKER STREET AND ST. NICHOLAS AVENUE—SEWER BASIN** on the southern corner. Area of assessment: South side of St. Nicholas avenue, between Ralph and Bleecker streets, and west side of Ralph street, between St. Nicholas and Wyckoff avenues.

**TWENTY-NINTH WARD, SECTION 15.**  
**HAWTHORNE STREET—REGULATING, GRADING, CURBING AND LAYING CEMENT SIDEWALKS,** between Nostrand and New York avenues. Area of assessment: Both sides of Hawthorne street, between Nostrand and New York avenues, and to the extent of half the block at the intersecting avenues.

**TWENTY-NINTH WARD, SECTION 16.**  
**WESTMINSTER AND CORTELYOU ROADS—SEWER BASIN,** at the northeast corner. Area of assessment: East side of Westminster road, between Beverley and Cortelyou roads.

**WEBSTER AVENUE—SEWER,** between Ocean parkway and Gravesend avenue. Area of assessment: Both sides of Webster avenue, from Ocean parkway to Gravesend avenue.

**EAST SIXTEENTH STREET AND CORTELYOU ROAD—SEWER BASINS,** at the northeast and northwest corners. Area of assessment: Both sides of East Sixteenth street, from Beverley road to Cortelyou road.

**EAST TWENTY-FIFTH STREET AND FOSTER AVENUE—SEWER BASINS,** at the northeast and northwest corners. Area of assessment: Both sides of East Twenty-fifth street, between Newkirk and Foster avenues.

**THIRTIETH WARD, SECTION 17.**  
**FIFTY-SEVENTH STREET—SEWER,** between Fourteenth and Fifteenth avenues. Area of assessment: Both sides of Fifty-seventh street, between Fourteenth and Fifteenth avenues.

**THIRTIETH WARD, SECTION 18.**  
**OVINGTON AVENUE—SEWER,** between Sixth and Seventh avenues. Area of assessment: Both sides of Ovington avenue, between Sixth and Seventh avenues.

**FOURTH AVENUE, EAST SIDE—SEWER,** between Ninety-fifth and Ninety-seventh streets. Area of assessment: South side of Fourth avenue, from Ninety-fifth to Ninety-seventh street.

**FIFTH AVENUE—SEWER,** between Ninetieth and Ninety-fourth streets. Area of assessment: Both sides of Fifth avenue, between Ninetieth and Ninety-fourth streets.

**SEVENTY-FIFTH STREET—SEWER,** between First and Second avenues, and from First to Second avenue; and **SHORE ROAD—OUTLET SEWER,** from Seventy-fifth to Seventy-first street. Area of assessment: Both sides of Seventy-fifth street, between First and Second avenues, and between Narrows avenue and Shore road; and east side of Shore road, between Seventy-first and Seventy-fifth streets.

**EIGHTIETH STREET—SEWER,** between First and Second avenues. Area of assessment: Both sides of Eightieth street, between First and Second avenues.

**SEVENTY-NINTH STREET AND SEVENTH AVENUE—SEWER BASIN,** at the northeast corner. Area of assessment: North side of Seventy-ninth street and south side of Seventy-eighth street, between Tenth and Fort Hamilton avenues.

**EIGHTY-FIRST STREET—SEWER,** between First and Second avenues. Area of assessment: Both sides of Eighty-first street, between First and Second avenues.

**EIGHTY-FOURTH STREET—SEWER,** between First and Second avenues. Area of assessment: Both sides of Eighty-fourth street, between First and Second avenues.

**NINETY-SEVENTH STREET—SEWER,** between Shore road and Marine avenue. Area of assessment: Both sides of Ninety-seventh street, between Shore road and Marine avenue.

—that the same were confirmed by the Board of Assessors on December 29, 1908, and entered December 29, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment, from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 27, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 29, 1908.

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## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF MANHATTAN:

## TWELFTH WARD, SECTION 6.

**ONE HUNDRED AND FORTY-FIRST STREET—EXTENSION OF SEWER,** between Harlem river and end of present sewer. Area of assessment: Both sides of One Hundred and Forty-first street, from Lenox avenue to the Harlem river.

## TWELFTH WARD, SECTION 8.

**WEST ONE HUNDRED AND EIGHTY-EIGHTH STREET—PAVING, CURBING AND RECURBING,** from Amsterdam avenue to St. Nicholas avenue. Area of assessment: Both sides of East One Hundred and Eighty-eighth street, from Amsterdam avenue to St. Nicholas avenue, and to the extent of half the block at the intersecting avenues.

—that the same were confirmed by the Board of Assessors on December 29, 1908, and entered December 29, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 27, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 29, 1908.

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## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

## FIRST WARD.

**POMEROY STREET—SEWER,** from Flushing avenue to Potter avenue. Area of assessment: Both sides of Pomerooy street, from Flushing avenue to Potter avenue.

**SIXTH AVENUE (BARTOW STREET)—SEWER,** from Broadway to Graham avenue. Area of assessment: Both sides of Sixth avenue, from Broadway to Graham avenue; also Lots Nos. 53, 56, 57, 59, 61 to 71 of Block 145, being rear of lots on the east side of Sixth avenue.

**SEVENTH AVENUE—PAVING,** from Broadway to Graham avenue. Area of assessment: Both sides of Seventh avenue, from Broadway to Graham avenue, and to the extent of half the block at the intersecting streets.

**THIRTEENTH AVENUE—SEWER,** from Vandewater avenue to Flushing avenue. Area of assessment: Both sides of Thirteenth avenue, between Flushing avenue and Vandewater avenue; both sides of Fourteenth avenue, between Flushing and Vandewater avenues; both sides of Fifteenth avenue, from Flushing to Vandewater avenue; both sides of Sixteenth avenue, between Vandewater and Wilson avenues, and

both sides of Wilson avenue, between Twelfth and Seventeenth avenues.

**THIRTEENTH AVENUE—SEWER,** from Broadway to Jamaica avenue. Area of assessment: Both sides of Thirteenth avenue, from Broadway to Jamaica avenue.

—that the same were confirmed by the Board of Assessors December 29, 1908, and entered on December 29, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before February 27, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 29, 1908.

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## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

## THIRTIETH WARD, SECTION 17.

**FORTIETH STREET—REGULATING, GRADING, CURBING, AND LAYING CEMENT SIDEWALKS,** between Fort Hamilton and Fourteenth avenues. Area of assessment: Both sides of Fortieth street, between Fort Hamilton and Fourteenth avenues.

## THIRTIETH WARD, SECTION 18.

**SIXTY-FIFTH STREET—SEWER,** both sides, between Fifth and Eighth avenues. Area of assessment: Both sides of Sixty-fifth street, extending 100 feet northerly and southerly from Fifth avenue to Eighth avenue.

## THIRTY-SECOND WARD, SECTION 15.

**GLENWOOD ROAD—LAYING CEMENT SIDEWALKS,** between Flatbush and Brooklyn avenues. Area of assessment: North side of Glenwood road, between Thirty-first street and Nostrand avenue; south side of Glenwood road, between Nostrand and Flatbush avenues, and both sides of Glenwood road, from Thirty-first street to Brooklyn avenue.

—that the same were confirmed by the Board of Revision of Assessments on December 24, 1908, and entered December 24, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 23, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 24, 1908.

d26,j9

## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF THE BRONX:

## TWENTY-THIRD WARD, SECTION 10.

**CYPRESS AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAYING CROSSWALKS,** from the Bronx Kills to East One Hundred and Forty-first street. Area of assessment: Both sides of Cypress avenue, from the Bronx Kills to East One Hundred and Forty-first street, and to the extent of half the block at the intersecting streets and avenues.

—that the same were confirmed by the Board of Revision of Assessments on December 24, 1908, and entered December 24, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment, to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

ized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, in the Municipal Building, corner of One Hundred and Seventy-seventh street and Third avenue, Borough of The Bronx, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 23, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when the above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 24, 1908.

d26,j9

## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF MANHATTAN:

## TWELFTH WARD, SECTION 7.

**TWELFTH AVENUE—SEWER,** from One Hundred and Thirty-third street to One Hundred and Thirty-fifth street. Area of assessment: Both sides of Twelfth avenue, from One Hundred and Thirty-third street to the northerly house line of One Hundred and Thirty-fourth street; both sides of One Hundred and Thirty-fourth street, from Broadway to a point about 675 feet westerly, and the south side of One Hundred and Thirty-third street, from Twelfth avenue to Broadway.

—that the same was confirmed by the Board of Revision of Assessments on December 24, 1908, and entered December 24, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, Room H, No. 280 Broadway, Borough of Manhattan, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. to 12 m., and all payments made thereon on or before February 23, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 24, 1908.

d26,j9

## NOTICE TO PROPERTY OWNERS.

**IN PURSUANCE OF SECTION 1018 OF** the Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

## FIRST WARD.

**BOULEVARD—SEWER,** from Nott avenue to Bodine street. Area of assessment: Both sides of the Boulevard, from Nott avenue to Bodine street; both sides of Thirteenth street, from the Boulevard to Van Alst avenue, and west side of Van Alst avenue, from Nott avenue to Fourteenth street.

**BUCHANAN PLACE—SEWER,** from a point 150 feet north of Grand avenue to Newtown avenue. Area of assessment: Both sides of Buchanan place, from Grand avenue to Newtown avenue.

—that the same were confirmed by the Board of Assessors December 22, 1908, and entered on December 22, 1908, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessments, interest will be collected thereon, as provided in section 1019 of said Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge, collect and receive interest thereon at the rate of seven per centum per annum, to be calculated to the date of payment from the date when such assessment became a lien, as provided by section 159 of this act."

Section 159 of this act provides \* \* \* "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and Arrears of Taxes and Assessments and of Water Rents, at the Hackett Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a. m. and 2 p. m., and on Saturdays from 9 a. m. until 12 m., and all payments made thereon on or before February 20, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when above assessments became liens to the date of payment.

HERMAN A. METZ, Comptroller.

City of New York, Department of Finance,

Comptroller's Office, December 22, 1908.

d24,j8

DEPARTMENT OF FINANCE, CITY OF NEW YORK,  
December 14, 1908.

**UNTIL FURTHER NOTICE AND UNLESS** otherwise directed in any special case surety companies will be accepted as sufficient upon the following contracts to the amounts named:

Supplies of Any Description, including Gas and Electricity—

One company on a bond up to \$50,000.  
Two companies on a bond up to \$125,000.  
Three companies on a bond up to \$200,000.

Asphalt, Asphalt Block and Wood Block Pavements—

Two companies on a bond up to \$50,000.  
Three companies on a bond up to \$125,000.

Regulating, Grading, Paving, Sewers, Water Mains, Dredging, Construction of Parks, Parkways, Etc.—

One company on a bond up to \$25,000.  
Two companies on a bond up to \$75,000.  
Three companies on a bond up to \$150,000.  
Four companies on a bond up to \$250,000.

New Docks, Buildings, Bridges, Aqueducts, Tunnels, Etc.—

One company on a bond up to \$25,000.  
Two companies on a bond up to \$75,000.  
Three companies on a bond up to \$150,000.  
Four companies on a bond up to \$250,000.

Repairs, Ventilating, Heating, Plumbing, Etc.—

One company on a bond up to \$25,000.  
Two companies on a bond up to \$75,000.  
Three companies on a bond up to \$150,000.  
Four companies on a bond up to \$250,000.

On bonds regarded as hazardous risks additional surety will be required as the Comptroller sees fit in each instance.

All bonds exceeding \$250,000 will by that fact alone be considered hazardous risks, no matter what the nature of the work.

H. A. METZ,  
Comptroller.

## BOROUGH OF THE BRONX.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX, MUNICIPAL BUILDING, CROTONA PARK, ONE HUNDRED AND SEVENTY-SEVENTH STREET AND THIRD AVENUE.

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

**TUESDAY, JANUARY 12, 1909,**

No. 1. FOR COMPLETING THE CONTRACT WHICH WAS EXECUTED BY THE WILLIAMS ENGINEERING AND CONTRACTING COMPANY ON NOVEMBER 6, 1907, AND WAS DECLARED ABANDONED OCTOBER 26, 1908, FOR COMPLETING THE CONTRACT FOR THE CONSTRUCTION OF THE STORM RELIEF TUNNEL SEWER FROM THE WEBSTER AVENUE SEWER, NEAR WENDOVER AVENUE, IN THE MILL BROOK WATERSHED (SEWERAGE DISTRICT NO. 33), TO THE HARLEM RIVER, ABOUT 231 FEET NORTH OF HIGH BRIDGE, TWENTY-FOURTH WARD, BOROUGH OF THE BRONX, CITY OF NEW YORK.

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

13,000 cubic yards of excavation of all kinds, of which about 600 cubic yards is stone piled in the tunnel.

3,640 cubic yards of Class A concrete, in place, excepting Class A concrete in shafts, as shown on the plan, and including all the work necessary to be done on Class A concrete now in place to make the same conform to the specifications.

600 cubic yards of Class B concrete, in place.  
25 cubic yards of Class C concrete, in place, excepting Class C concrete in shaft house, as shown on the plan.

10,000 cubic yards of Class D concrete, in place, and including all the work necessary to be done on Class D concrete now in place to make the same conform to the specifications.

50 pounds of one-quarter (1/4) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

110 pounds of three-eighths (3/8) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

11,400 pounds of one-half (1/2) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

19,500 pounds of five-eighths (5/8) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

6,100 pounds of three-fourths (3/4) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

1,910 pounds of seven-eighths (7/8) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

153,300 pounds of one (1) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

100 pounds of one and one-eighth (1 1/8) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

53,000 pounds of one and one-quarter (1 1/4) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

2,715 pounds of one and three-eighths (1 3/8) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

47,200 pounds of one and one-half (1 1/2) inch steel bars, excepting steel bars of all sizes in shafts, as shown on the plan.

Completing Shaft No. 1 and appurtenances, complete, excepting excavation of all kinds for same, and excepting timber left in work as sheeting, shoring or bracing, and including all the work necessary to be done on the concrete of the shaft now in place to make the same conform to the specifications.

Shaft No. 2 and appurtenances, complete, excepting twenty-four (24) inch cast-iron pipe and concrete surrounding the same, and excepting excavation of all kinds, and excepting timber left in work as sheeting, shoring or bracing.

Rebuilding Shaft House No. 1 and appurtenances, complete.

Shaft House No. 2 and appurtenances, complete.

182 net tons (2,000 pounds) of structural steel, excepting all structural steel in shafts and shaft houses, as shown on the plan.

4,000 pounds of wrought iron, excepting all wrought iron in shafts and shaft houses, as shown on the plan, and excepting all wrought iron used in framing and fastening all piling and timber,

22,000 pounds of cast iron, including new man-hole heads, covers, etc., and excepting all cast iron in shafts and shaft houses, as shown on the plan.

7,800 square feet of galvanized wire netting, excepting in shaft houses, as shown on the plan.

990 square yards of waterproofing.

4 gates and appurtenances in Webster avenue gate chamber, complete, in place.

13,500 pounds of twenty-four (24) inch cast iron pipe.

900 cubic yards of broken stone for foundation.

100 cubic yards of dry rubble masonry.

600 cubic yards of rubble masonry in mortar.

3 cubic yards of granite masonry.

1,500 linear feet of three (3) inch drain pipe.

300 linear feet of twelve (12) inch drain pipe, including broken stone cradle, in rock.

2,000 linear feet of piles, below cut-off, including all wrought iron and steel and steel chain used in framing and fastening, and including cast iron shoes, as required.

150,000 feet (B. M.) of timber for foundations and for sheeting, shoring and bracing, if left in work, and including all wrought iron and steel used in framing and fastening.

3,500 cubic yards of embankment, including rip-rap, sodding and gutters, where required.

Completing the rebuilding of 19 linear feet of brick sewer, six (6) feet one and one-half (1 1/2) inches by six (6) feet six (6) inches, exclusive of extra rubble masonry foundation.

27 linear feet of brick sewer, two (2) feet six (6) inches in diameter, to be rebuilt, exclusive of extra rubble masonry foundation.

2 brick manholes to be rebuilt.

The time allowed for the completion of the work will be one hundred and fifty (150) calendar days.

The amount of security required will be One Hundred and Fifty Thousand Dollars (\$150,000).

No. 2. FOR FURNISHING AND DELIVERING FORAGE TO THE BUREAU OF HIGHWAYS.

2,000 bushels No. 1 best white clipped oats.

70,000 pounds best timothy hay.

8,000 pounds best rye straw.

2,500 pounds best bran.

200 pounds best oil meal.

200 pounds best rock salt.

100 pounds best table salt.

To be delivered to stables of the Bureau of Highways, Borough of the Bronx, as may be directed and required during the six (6) months ending June 30, 1909.

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

No. 3. FOR FURNISHING AND DELIVERING COAL TO THE BUREAU OF PUBLIC BUILDINGS AND OFFICES.

300 gross tons of white ash anthracite coal, egg size.

50 gross tons of white ash anthracite coal, stove size.

To be delivered at the Municipal Building, One Hundred and Seventy-seventh street and Third Avenue, and the various branch offices in the Borough of the Bronx, as may be directed and required during the four (4) months ending April 30, 1909.

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

No. 4. FOR FURNISHING AND DELIVERING LINOLEUM, SHADES AND AWNINGS FOR THE WILLIAMSBRIDGE OFFICE BUILDING.

The time allowed for the delivery of the articles and the completion of the contract will be within thirty days.

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

Blank forms can be obtained upon application therefor, and the plans and specifications may be seen and other information obtained at said office.

LOUIS HAFFEN, President.

d31,j12

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

## DEPARTMENT OF STREET CLEANING.

DEPARTMENT OF STREET CLEANING OF THE CITY OF NEW YORK, NOS. 13 TO 21 PARK ROW, NEW YORK, DECEMBER 30, 1908.

### PUBLIC NOTICE.

SALE OF UNUSED PROPERTY, BOROUGH OF MANHATTAN AND THE BRONX.

**NOTICE IS HEREBY GIVEN THAT,** pursuant to section 541 of the Greater New York Charter, I will, on

**THURSDAY, JANUARY 14, 1909,**

at 10 o'clock a. m., at Stable A of the Department of Street Cleaning, Seventeenth street and Avenue C, Borough of Manhattan, sell at public auction the following unused property of the Department of Street Cleaning:

100 horses (more or less).

1 lot old harness, consisting of 4 sets double truck harness, 8 sets single truck harness, 1 set hill horse harness and 6 sets light driving harness, all more or less.

1 lot old harness, consisting of 158 cart bridles, 193 cart saddles, 215 cart breechings and 153 cart hames, all more or less.

453 old horse collars (more or less).

1 lot, consisting of 575 canvas cart covers, 370 canvas quarter blankets, 250 canvas feed bags, 6 canvas hill horse blankets, 5 rubber horse covers and 10 rubber storm aprons, all more or less.

200 pounds (more or less) old electric light wire.

500 pounds (more or less) old Manila rope.

400 pounds (more or less) old brass (couplings, nozzles, etc.).

150 pounds (more or less) old iron oilers.

1 old blacksmith's bellows (more or less).

1 old phaeton (more or less).

4 old sprinkling trucks (more or less).

1 old double ash truck (more or less).

900 galvanized iron cans (more or less).

1 16 horse-power automobile (F. I. A. T. touring car).

1 Orient buckboard auto.

9 old bicycles (more or less).

1 lot, consisting of 23 old auto shoes and 90 old bicycle tires, all more or less.

100,000 pounds (more or less) old tire, scrap and malleable iron, including 75 (more or less) old steel cart bodies.

### TERMS OF SALE.

The horses are to be paid for in full at the time of the sale and are to be removed before 3 p. m. on the day of the sale. On all the rest

of the property (excepting the old iron) a deposit of 75 per cent. of the purchase price will be required on the day of the sale. A deposit of Two Hundred Dollars (\$200) will be required on the old iron at the time of the sale, said deposit to be held by the Department of Street Cleaning until all the iron is removed. The iron will be sold by the ton (of 2,000 pounds per ton), and must be paid for as removed. All the articles sold, excepting the horses, are to be removed within ten (10) working days, or in default thereof said deposits shall be forfeited to the City of New York as liquidated damages.

Commissioner,  
j2,14

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

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

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

**THURSDAY, JANUARY 7, 1909,**  
Boroughs of Manhattan, The Bronx and Brooklyn.

CONTRACT FOR FURNISHING AND DELIVERING 200 DRAFT HORSES; 75 FOR MANHATTAN, 25 FOR THE BRONX AND 100 FOR BROOKLYN.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before sixty (60) days.

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

The bidder will state the price, by which the bids will be tested. The extensions must be made and footed up, as the bids will be read from the total and the award will be made to the lowest bidder.

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

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

FOSTER CROWELL,

Commissioner of Street Cleaning.

Dated December 23, 1908.

d24,j7

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

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

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

**THURSDAY, JANUARY 7, 1909,**  
Borough of Brooklyn.

CONTRACT FOR FURNISHING AND DELIVERING PIPE HORSE COLLARS.

The time for the delivery of the articles, materials and supplies and the performance of the contract is by or before ninety (90) days.

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

**Boroughs of Manhattan, The Bronx and Brooklyn.**

CONTRACTS FOR FURNISHING AND DELIVERING—

1. HARDWARE.

2. MALLEABLE IRON CASTINGS.

3. IRON AND STEEL.

4. STOVES AND STOVE SUPPLIES.

5. HOSE COUPLINGS AND NOZZLES.

6. LAMPS AND LAMP SUPPLIES.

7. PAINTS AND PAINT OILS.

8. MISCELLANEOUS SUPPLIES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is as stated in the several specifications referred to above.

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

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, per hundred pounds, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and footed up, as the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

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

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

FOSTER CROWELL,

Commissioner of Street Cleaning.

Dated December 19, 1908.

d19,j7

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

ASHES, ETC., FOR FILLING IN LANDS.

PERSONS HAVING LANDS OR PLACES in the vicinity of New York Bay to fill in can procure material for that purpose—ashes, street sweepings, etc., collected by the Department of Street Cleaning—free of charge by applying to the Commissioner of Street Cleaning, Nos. 13 to 21 Park row, Borough of Manhattan.

WILLIAM H. EDWARDS,

Commissioner of Street Cleaning.

## DEPARTMENT OF PARKS.

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

**THURSDAY, JANUARY 21, 1909.**

Borough of Manhattan.

FOR FURNISHING AND DELIVERING TOILET PAPER FOR PARKS, BOROUGH OF MANHATTAN.

The time allowed for the delivery will be as required before December 1, 1909.

The amount of security required is Five Hundred Dollars (\$500).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.

Dated January 5, 1909.

j5,21

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

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

**THURSDAY, JANUARY 7, 1909,**  
Borough of Manhattan.

FOR FURNISHING AND DELIVERING MASON'S SUPPLIES FOR PARKS, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the delivery will be as required, before November 1, 1909.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.

Dated December 26, 1908.

d26,j7

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

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

**THURSDAY, JANUARY 7, 1909,**  
Borough of The Bronx.

FOR FURNISHING AND DELIVERING ONE THOUSAND (1,000) TONS NO. 2 NUT COAL, ANTHRACITE, AND FIFTY (50) TONS BROKEN COAL, ANTHRACITE (NO. 1, 1909—BOTANICAL GARDEN), FOR PARKS, BOROUGH OF THE BRONX.

The time for the delivery and the full performance of the contract is before May 1, 1909.

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

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Zbrowski Mansion, Claremont Park, The Bronx.

HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.

d26,j7

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

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Park Board at the above office of the Department

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

Blank forms may be obtained at the office of the Department of Parks, Litchfield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President;  
JOSEPH I. BERRY,  
MICHAEL J. KENNEDY,  
Commissioners of Parks.  
d26,j14

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

## POLICE DEPARTMENT.

POLICE DEPARTMENT—CITY OF NEW YORK.

**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 of money taken from prisoners and found by Patrolmen of this Department.

THEODORE A. BINGHAM,  
Police Commissioner.

POLICE DEPARTMENT—CITY OF NEW YORK, BOROUGH OF BROOKLYN.

**OWNERS WANTED BY THE PROPERTY** Clerk of the Police Department of The City of New York—Office, No. 209 State street, Borough of Brooklyn—for the following property, now in his custody, without claimants: Boats, rope, iron, lead, male and female clothing, boots, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

THEODORE A. BINGHAM,  
Police Commissioner.

## DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Superintendent of School Supplies at the above office of the Department of Education until 12 o'clock noon on

**TUESDAY, JANUARY 12, 1909,**

**FOR FURNISHING AND DELIVERING DIRECT TO EACH SCHOOL, BOOKS, PLASTER CASTS, TOOLS, LABORATORY APPARATUS AND MISCELLANEOUS SUPPLIES FOR THE DAY HIGH SCHOOLS AND TRAINING SCHOOLS FOR TEACHERS OF THE CITY OF NEW YORK.**

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

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

Bidder must enter his price under the separate headings, and in estimating the amount of his bid upon which security will be required said security must be based on the highest price quoted on each item.

The bidder will state the price of each item or article contained in the specifications or schedule herein contained or hereto annexed, per pound, dozen, gallon, yard or other unit of measure, by which the bids will be tested. Award will be made to the lowest bidder on each item whose sample is equal to the sample referred to by catalogue number. The said reference is made only as a means of briefly describing the article called for.

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

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, corner of Park avenue and Fifty-ninth street.

PATRICK JONES,  
Superintendent of School Supplies.

Dated December 30, 1908.

d30,j11

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

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Superintendent of School Supplies at the above office of the Department of Education until 12 o'clock noon on

**MONDAY, JANUARY 11, 1909,**

**FOR FURNISHING AND DELIVERING DIRECT TO EACH SCHOOL, GENERAL APPARATUS AND SUPPLIES FOR THE DEPARTMENTS OF CHEMISTRY, PHYSICS, BIOLOGY, PHOTOGRAPHY, PHYSIOGRAPHY, BOTANICAL AND ZOOLOGICAL SUPPLIES FOR THE DAY AND EVENING HIGH SCHOOLS AND SUPPLIES FOR TRAINING SCHOOLS FOR TEACHERS OF THE CITY OF NEW YORK.**

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

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

Bidder must enter his price under the separate headings, and in estimating the amount of his bid upon which security will be required said security must be based on the highest price quoted on each item.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, dozen, gallon, yard or other unit of measure, by which the bids will be tested. Award will be made to the lowest bidder on each item whose sample is equal to the sample referred to by catalogue number. The said reference is made only as a means of briefly describing the article called for.

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

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, corner of Park avenue and Fifty-ninth street.

PATRICK JONES,  
Superintendent of School Supplies.

Dated December 30, 1908.

d30,j11

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

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

**SEALED BIDS OR ESTIMATES WILL BE** received by the Superintendent of School Supplies at the above office of the Department of Education until 12 o'clock m. on

**TUESDAY, JANUARY 5, 1909.**

**FOR FURNISHING AND DELIVERING BASKET BALLS AND BADGES FOR THE DAY AND EVENING HIGH SCHOOLS AND DAY AND EVENING ELEMENTARY SCHOOLS OF THE CITY OF NEW YORK.**

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

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

The bidder will state the price of each item or classes of items herein contained or hereto annexed, by which the bids will be tested. Award will be made to the lowest bidder on each item or classes of items whose sample is equal to the Board sample submitted for inspection or referred to by catalogue number.

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

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, southwest corner of Park avenue and Fifty-ninth street.

PATRICK JONES,  
Superintendent of School Supplies.

Dated December 23, 1908.

d23,j5

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

## BOARD OF ESTIMATE AND APPORTIONMENT.

### PUBLIC NOTICE.

**DEPRESSION OF A PORTION OF THE ROADWAY OF FORTY-SECOND STREET AT FIFTH AVENUE, BOROUGH OF MANHATTAN.**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Board of Estimate and Apportionment, having under consideration the depression of the central portion of the roadway of Forty-second street, permitting a portion of the said roadway to pass under Fifth avenue, avoiding thereby the present obstruction to travel on both of these streets, will give a public hearing upon this proposed change of grade of the central portion of said Forty-second street, in the Old Council Chamber, Room 16, City Hall, Borough of Manhattan, on Friday, January 15, 1909, at 10.30 o'clock in the forenoon.

This proposed depression is to cover a width of thirty-two (32) feet in the centre of the roadway already widened to sixty-eight (68) feet by an ordinance adopted by the Board of Estimate and Apportionment on December 18, 1908; the depression to begin at a point about forty (40) feet west of the westerly line of Madison avenue and to extend to a point about four hundred and fifty (450) feet west of the westerly line of Fifth avenue. The portion within the lines of Fifth avenue and for about twenty (20) feet each side of the same is to be covered; all of which is more particularly shown on a plan, dated November 16, 1908, entitled

"Board of Estimate and Apportionment, City of New York. Plan for carrying through traffic on Forty-second street in a depressed roadway." Said plan showing elevations and rates of grade is signed by the Chief Engineer of the Board of Estimate and Apportionment, and can be seen at the office of the Board of Estimate and Apportionment, No. 277 Broadway, Borough of Manhattan, New York City.

Dated January 4, 1909.  
JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j4,15

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to a sewer easement, from a point on Bay street, between Sylvia lane and Sylvan terrace, to the pierhead line of New York Bay, in the Borough of Richmond, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the easement required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Bounded on the north by a line distant 75 feet northerly from and parallel with the northerly line of Sylvan terrace, the said distance being measured at right angles to the line of Sylvan terrace; on the east by the westerly line of Bay street, and by the prolongation of the said line; on the south by a line distant 100 feet southerly from and parallel with the southerly line of Pennsylvania avenue, the said distance being measured at right angles to the line of Pennsylvania avenue; and on the west by a line distant 100 feet easterly from and parallel with the easterly line of New York avenue, the said distance being measured at right angles to the line of New York avenue. None of the streets named has been placed upon the City map, and any reference to street lines is intended to apply to those determined by usage and as commonly recognized.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2,13

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Parker street (avenue), from Protectory avenue to Wellington avenue, in the Borough of The Bronx, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required, at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on the northerly line of Wellington avenue where it is intersected by the prolongation of a line midway between Zerega avenue and Parker street, as these streets are laid out northwesterly from Westchester avenue, and running thence southwardly at right angles to Wellington avenue a distance of 160 feet; thence westwardly and parallel with Wellington avenue to the intersection with a line at right angles to its northerly side where it is intersected by the prolongation of a line midway between Parker street and Glover street; thence northwardly along the said line at right angles to Wellington avenue to its northerly side; thence northwesterly along the said line midway between Parker street and Glover street, and along the prolongations of the said line to the intersection with the prolongation of a line midway between St. Raymond avenue and Parker street as these streets are laid out between Purdy street and Castle Hill avenue; thence westwardly along the said line midway between St. Raymond avenue and Parker street, and along the prolongations of the said line to a point distant 100 feet westerly from the westerly line of Purdy street; thence northwardly and parallel, respectively, with Purdy street and Protectory avenue to the intersection with the prolongation of a line distant 250 feet northerly from and parallel with the northerly line of Parker street, as laid out between Protectory avenue and Castle Hill avenue, the said distance being measured at right angles to the line of Parker street; thence eastwardly along the said line parallel with Parker street, and along the prolongation of the said line to the intersection with the prolongation of a line midway between Zerega avenue and Parker street, as these streets are laid out northwesterly from Westchester avenue; thence southeastwardly along the said line midway between Zerega avenue and Parker street and along the prolongations of the said line to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board, to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2,13

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment, held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of St. Georges crescent, between East Two Hundred and Sixth street and Van Cortlandt avenue, in the Borough of The Bronx, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on the easterly line of the Grand Boulevard and Concourse, where it is intersected by the prolongation of the southerly line of Van Cortlandt avenue as laid out west of Moshulu Parkway South, and running thence eastwardly along the southerly line of Van Cortlandt avenue, and the prolongation thereof, to the intersection with a line always distant 100 feet easterly from and parallel with the easterly line of St. Georges crescent, the said distance being measured at right angles to St. Georges crescent; thence southwardly along the said line parallel with St. Georges crescent to the northerly line of East Two Hundred and Sixth street; thence southwardly at right angles to East Two Hundred and Sixth street a distance of 160 feet; thence westwardly and always parallel with East Two Hundred and Sixth street to the intersection with a line distant 115 feet easterly from and parallel with the easterly line of the Concourse, the said distance being measured at right angles to the line of the Concourse; thence northwardly and parallel with the Concourse to the intersection with a line always distant 100 feet westerly from and parallel with the westerly line of St. Georges crescent, the said distance being measured at right angles to St. Georges crescent; thence northwardly along the said line parallel with St. Georges crescent to the easterly line of the Concourse; thence northwardly along the easterly line of the Concourse to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board, to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2,13

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Madden street, between Skillman avenue and Borden avenue, in the First Ward, in the Borough of Queens, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required, at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on the northerly line of Borden avenue where it is intersected by a line midway between Madden street and Van Buren street, and running thence northwardly along the said line midway between Madden street and Van Buren street and along the prolongation of the said line to a point distant 100 feet northerly from the northerly line of Skillman avenue; thence eastwardly and parallel with Skillman avenue to the intersection with the prolongation of a line midway between Madden street and Laurel Hill avenue; thence southwardly along the said line midway between Madden street and Laurel Hill avenue, and along the prolongation of the said line to the northerly line of Borden avenue; thence southwardly at right angles to Borden avenue a distance of 180 feet; thence westwardly parallel with and always distant 100 feet southerly from the southerly line of Borden avenue to the intersection with a line at right angles to Borden avenue, and passing through the point of beginning; thence northwardly along the said line at right angles to Borden avenue to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board, to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.  
JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2,13

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Avenue N, from Gravesend avenue to Flatlands avenue, in the Borough of Brooklyn, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on the southeasterly line of Flatlands avenue where it is intersected by the prolongation of a line midway between Avenue M and Avenue N, and running thence southeastwardly at right angles to Flatlands avenue a distance of 100 feet; thence southwestwardly and parallel with Flatlands avenue to the intersection with a line at right angles to Flatlands avenue, and passing through a point on its northwesterly side where it is intersected by a line midway between Avenue N and Avenue O; thence northwesterly along the said line at right angles to Flatlands avenue to its northwesterly side; thence westwardly along the said line midway between Avenue N and Avenue O and the prolongation thereof to the intersection with a line midway between West street and Gravesend avenue; thence northwardly along the said line midway between West street and Gravesend avenue to the intersection with the prolongation of a line midway between Avenue M and Avenue N; thence eastwardly along the said line midway between Avenue M and Avenue N and the prolongation thereof to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board, to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD and the corporation newspapers for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.  
JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2,13

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment, held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Avenue I, from Ocean parkway to the easterly line of East Fifteenth street, and from the easterly property line of the lands of the Long Island Railroad Company, within the lines of East Seventeenth street, to East Thirty-fourth street, in the Borough of Brooklyn, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on a line midway between East Fifth street and Ocean parkway, where it

is intersected by the prolongation of a line midway between Avenue H and Avenue I, and running thence eastwardly along the said line midway between Avenue H and Avenue I and along the prolongation thereof to the centre line of Flatbush avenue; thence along the centre line of Flatbush avenue to meet the prolongation of a line midway between Avenue H and Avenue I as they are laid out easterly from Flatbush avenue; thence eastwardly along the last mentioned line midway between Avenue H and Avenue I and along the prolongation thereof to meet a line midway between East Thirty-fourth street and East Thirty-fifth street; thence southwardly along the said line midway between East Thirty-fourth street and East Thirty-fifth street to meet the prolongation of a line midway between Avenue I and Avenue J as the said streets are laid out west of Flatbush avenue; thence westwardly along the said line midway between Avenue I and Avenue J to meet a line midway between East Fifth street and Ocean parkway; thence northwardly along the said line midway between East Fifth street and Ocean parkway to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD and the corporation newspapers for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT AT** the meeting of the Board of Estimate and Apportionment, held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Snyder avenue, between Canarsie avenue and Ralph avenue; and of Avenue A, between Ralph avenue and East Ninety-eighth street, in the Borough of Brooklyn, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on the prolongation of a line midway between Church avenue and Snyder avenue distant 100 feet westerly from the westerly line of Brooklyn avenue, and running thence eastwardly along the said line midway between Church avenue and Snyder avenue, and the prolongation of the said line, to the intersection with a line midway between Church avenue and Avenue A; thence northeastwardly along the said line midway between Church avenue and Avenue A, and the prolongation of the said line, to a point distant 100 feet northeasterly from the northeasterly line of East Ninety-eighth street; thence southeastwardly and parallel with East Ninety-eighth street to the intersection with the prolongation of a line midway between Avenue A and Beverley road; thence southwestwardly along the said line midway between Avenue A and Beverley road, and the prolongation of the said line, to the intersection with the westerly line of Ralph avenue; thence westwardly at right angles to Ralph avenue to the intersection with a line midway between East Fifty-ninth street and Ralph avenue; thence northwardly along the said line midway between East Fifty-ninth street and Ralph avenue to the intersection with a line midway between Snyder avenue and Tilden avenue; thence westwardly along the said line midway between Snyder avenue and Tilden avenue, and the prolongation of the said line, to the intersection with a line parallel with Brooklyn avenue, and passing through the point of beginning; thence northwardly along the said line parallel with Brooklyn avenue to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board, to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD and the corporation newspapers for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the lines and grades of Bailey avenue, from West One Hundred and Ninety-fourth street to Albany road; of West Two Hundred and Twenty-ninth street and Thirtieth street, from Heath avenue to Bailey avenue; change the grades of West Two Hundred and Thirtieth street, from Broadway to Bailey avenue; and change the lines of Kingsbridge road, Albany road and Boston avenue, at their respective intersections with Bailey avenue, Borough of The Bronx, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on January 15, 1909, at 10.30 o'clock a. m., at which such proposed change will be considered by said Board, all of which is more particularly set forth and described in the following resolutions adopted by the Board on December 4, 1908, notice of the adoption of which is hereby given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by changing the lines and grades of Bailey avenue, from West One Hundred and Ninety-fourth street to Albany road; of West Two Hundred and Twenty-ninth street and West Two Hundred and Thirtieth street, from Heath avenue to Bailey avenue; changing the grades of West Two Hundred and Thirtieth street, from Broadway to Bailey avenue, and changing the lines of Kingsbridge road, Albany road and Boston avenue at their respective intersections with Bailey avenue, in the Borough of The Bronx, City of New York, more particularly described as follows:

The lines and grades of Bailey avenue, from West One Hundred and Ninety-fourth street to Albany road; the lines and grades of West Two Hundred and Twenty-ninth street and West Two Hundred and Thirtieth street, from Heath avenue to Bailey avenue; the grades of West Two Hundred and Thirtieth street, from Broadway to Bailey avenue, and the lines of Kingsbridge road, Albany road and Boston avenue at their respective intersections with Bailey avenue, are to be as shown upon a map signed by the President of the Borough of The Bronx and bearing date of October 28, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 15th day of January, 1909, at 10.30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the tentative map of the street system within the territory bounded by the New York, New Haven and Hartford Railroad, Bronx and Pelham parkway, Pelham Bay Park, Eastern boulevard, Morris Park avenue, Westchester avenue and Wilkinson avenue, Borough of The Bronx, so as to change the map or plan of The City of New York by changing the map of the tentative street system within the territory bounded by Mayflower avenue, Bronx and Pelham parkway, Pelham Bay Park, Eastern boulevard, Morris Park avenue, Westchester avenue and Wilkinson avenue, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on January 15, 1909, at 10.30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on December 4, 1908, notice of the adoption of which is hereby given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter, as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by changing the tentative map of the street system within the territory bounded by the New York, New Haven and Hartford Railroad, Bronx and Pelham parkway, Pelham Bay Park, Eastern boulevard, Morris Park avenue, Westchester avenue and Wilkinson avenue, in the Borough of The Bronx, City of New York, more particularly described as follows:

The streets within the territory bounded by the land of the New York, New Haven and Hartford Railroad, Bronx and Pelham parkway, Pelham Bay Park, Eastern boulevard, Morris Park avenue, Westchester avenue and Wilkinson avenue, are to be as shown upon a tentative map submitted by the President of the Borough and bearing date of June 16, 1908; or by changing the map or plan of The City of New York by changing the map of the tentative street system within the territory bounded by Mayflower avenue, Bronx and Pelham parkway, Pelham Bay Park, Eastern boulevard, Morris Park avenue, Westchester avenue and Wilkinson avenue, as shown upon a map submitted by the President of the Borough and bearing date of June 16, 1908.

Resolved, That this Board consider the proposed changes at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 15th day of January, 1909, at 10.30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed changes will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the line and grade of Barretto street, between Garrison avenue and Lafayette avenue, Borough of The Bronx, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on January 15, 1909, at 10.30 o'clock a. m., at which such proposed change will be considered by said Board, all of which is more particularly set forth and described in the following resolutions adopted by the Board on December 4, 1908, notice of the adoption of which is hereby given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by changing the line and grade of Barretto street, between Garrison avenue and Lafayette avenue, in the Borough of The Bronx, City of New York, more particularly shown upon map or plan signed by the President of the Borough of The Bronx and bearing date of December 18, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 15th day of January, 1909, at 10.30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT, AT** the meeting of the Board of Estimate and Apportionment, held on December 4, 1908, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Stanley avenue,

from Louisiana avenue to Fountain avenue, in the Borough of Brooklyn, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Bounded on the north by a line midway between Vienna avenue and Stanley avenue, as these streets are laid out easterly from Louisiana avenue, and by the prolongations of the said line; on the east by a line always distant 100 feet easterly from and parallel with the easterly line of Fountain avenue, the said distance being measured at right angles to the line of Fountain avenue; on the south by a line midway between Stanley avenue and Wortman avenue, and by the prolongations of the said line, and on the west by a line distant 100 feet westerly from and parallel with the westerly line of Louisiana avenue, the said distance being measured at right angles to the line of Louisiana avenue.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 15th day of January, 1909, at 10.30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the CITY RECORD and the corporation newspapers for ten days prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT THE**

Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to lay out a tentative street system in that portion of the Fourth Ward, bounded by Wexford terrace, Dalny road, Edgerton boulevard, Croydon road, Home Lawn avenue, Edgerton boulevard, Doncaster boulevard, Tudor road, Chevy Chase road, Holliswood avenue, Radnor road, Chevy Chase road, Kent road, Avon road, Radnor road and Hillside avenue, and also to lay out Hillside avenue from Fresh Meadow road to Wexford terrace and from Radnor road to Holliswood avenue, and to establish grades thereof, Borough of Queens, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on January 15, 1909, at 10.30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on December 18, 1908, notice of the adoption of which is hereby given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by laying out a tentative street system in that portion of the Fourth Ward, bounded by Wexford terrace, Dalny road, Edgerton boulevard, Croydon road, Home Lawn avenue, Edgerton boulevard, Doncaster boulevard, Tudor road, Chevy Chase road, Holliswood avenue, Radnor road, Chevy Chase road, Kent road, Avon road, Radnor road and Hillside avenue, and also by laying out Hillside avenue from Fresh Meadow road to Wexford terrace and from Radnor road to Holliswood avenue, and establishing grades thereof, in the Borough of Queens, City of New York, more particularly shown on map or plan submitted by the President of the Borough of Queens, dated December 11, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 15th day of January, 1909, at 10.30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT THE**

Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grade of Fort Washington avenue, between West One Hundred and Sixty-third street and West One Hundred and Sixty-fifth street; and West One Hundred and Sixty-fourth street, between Fort Washington avenue and Broadway, Borough of Manhattan, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on January 15, 1909, at 10.30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on December 4, 1908, notice of the adoption of which is hereby given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter, as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by changing the grade of Fort Washington avenue, between West One Hundred and Sixty-third street and West One Hundred and Sixty-fifth street; and West One Hundred and Sixty-fourth street, between Fort Washington avenue and Broadway, in the Borough of Manhattan, City of New York, more particularly described as follows:

The grades of Fort Washington avenue, between West One Hundred and Sixty-third street and West One Hundred and Sixty-fifth street, and of West One Hundred and Sixty-fourth street, between Fort Washington avenue and Broadway, are to be as shown upon a map bearing the signature of the Secretary of the Board of Estimate and Apportionment, and dated December 1, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board, to be held in the City Hall, Borough of Manhattan, City of New York, on the 15th day of January, 1909, at 10.30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons

sons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD for ten days continuously, Sundays and legal holidays excepted, prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2.13

**NOTICE IS HEREBY GIVEN THAT THE** Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to lay out Whitwell place and Denton place, between First street and Carroll street; establish the grade of Whitwell place and adjust the grades in the territory bounded by Carroll street, Fourth avenue, First street and Third avenue, Borough of Brooklyn, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on January 15, 1909, at 10.30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on December 4, 1908, notice of the adoption of which is hereby given, viz:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter, as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by laying out Whitwell place and Denton place, between First street and Carroll street; establishing the grade of Whitwell place, and adjusting the grades in the territory bounded by Carroll street, Fourth avenue, First street and Third avenue, in the Borough of Brooklyn, City of New York, more particularly described as follows:

The lines of Whitwell place and of Denton place, between First street and Carroll street, and the grades in the territory bounded by Carroll street, Fourth avenue, First street and Third avenue, are to be as shown upon a map bearing the signature of the Secretary of the Board of Estimate and Apportionment and dated August 27, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 15th day of January, 1909, at 10.30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the CITY RECORD and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 15th day of January, 1909.

Dated January 2, 1909.

JOSEPH HAAG, Secretary,  
No. 277 Broadway, Room 1406.  
Telephone, 2280 Worth.

j2.13

#### PUBLIC NOTICE.

**PUBLIC NOTICE IS HEREBY GIVEN** that at the meeting of the Board of Estimate and Apportionment, held this day, the following proceedings were had:

Whereas, The Third Avenue Railroad Company has, under date of June 2, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a double-track street surface railway as an extension to its existing line upon and along Fort George avenue, from Amsterdam avenue to Audubon avenue, in the Borough of Manhattan; and

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance of such laws, this Board adopted a resolution on June 5, 1908, fixing the date for public hearing thereon as June 26, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "New York Times" and the "New York Tribune," newspapers designated by the Mayor, and in the CITY RECORD for ten (10) days immediately prior to the date of the hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for and proposed to be granted to the Third Avenue Railroad Company, and the adequacy of the compensation proposed to be paid therefor; now therefore it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the Third Avenue Railroad Company, containing the form of proposed contract for the grant of such franchise or right, be hereby introduced and entered in the minutes of this Board, as follows, to wit:

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

#### THE THIRD AVENUE RAILROAD COMPANY.

##### Proposed Form of Contract.

This contract, made this day of 1909, by and between The City of New York (hereinafter called the City,) party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the Third Avenue Railroad Company (hereinafter called the Company), party of the second part, witnesseth:

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

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

Beginning and connecting with the existing double-track street surface railway on Amsterdam avenue at or near the intersection of said avenue with Fort George avenue; thence northerly, westerly and southerly in, upon and along said Fort George avenue as it winds and turns to its intersection with Audubon avenue, with a loop terminal at said intersection, to be constructed with in the present roadway of said Fort George ave-

nue. The said route, with switches, crossovers and terminal loop hereby authorized, are shown upon a map entitled: "Amended map showing proposed railway of the Third Avenue Railroad Company in the Borough of Manhattan, City of New York, to accompany petition to the Board of Estimate and Apportionment, of June 2, 1908," and signed by F. W. Whitridge, Receiver, Edward A. Maher, General Manager, and T. F. Mullany, Chief Engineer, dated New York, November 27, 1908, a copy of which is attached hereto, is to be deemed a part of this contract, is to be construed with the text thereof, and is to be substantially followed; provided, that deviations therefrom and additional turnouts, switches and crossovers which are consistent with the foregoing description and the provisions of this contract may be permitted by resolution of the Board.

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

First—The consent in writing of the owners of half in value of the property bounded on said streets and avenues to the construction and operation of said railway shall be obtained by the Company within thirty (30) days from the signing of this contract by the Mayor, and a copy of such consents shall be filed with the Board within such time, or in the event that such consents cannot be obtained within such time the Company shall, within one month thereafter, make application to the Appellate Division of the Supreme Court for the appointment of Commissioners in the manner provided by the Railroad Law to determine if said railway ought to be constructed; otherwise this grant shall cease and determine.

Second—The said right to construct, maintain and operate said railway shall be held and enjoyed by the Company for a term not exceeding three (3) years, provided that if the Company shall make application to the Board, then the Board may extend the term of said right and privilege upon the same terms and conditions herein fixed for a further period not exceeding two (2) years.

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

(a) The sum of three hundred dollars (\$300) in cash within thirty (30) days after the date on which this contract is signed by the Mayor.

(b) During the term of this grant, whether for a term of three years or an extension of such term for a further period of two years, on application of the Company, as herein provided, an annual sum which shall in no case be less than one thousand one hundred dollars (\$1,100), and which shall be equal to three (3) per cent. of its gross annual receipts if such percentage shall exceed the sum of one thousand one hundred dollars (\$1,100).

The gross receipts mentioned above shall be that portion of the gross earnings of the Company from all sources as shall bear the same ratio to its whole gross earnings as the length of the route hereby authorized shall bear to the entire length of the railway of the Company in operation.

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

Such minimum annual sums shall be paid into the Treasury of the City on November 1 of each year, and shall be for the amount due to September 30 next preceding.

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

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

Fourth—Upon the termination of this contract or extension thereof as herein provided, or upon the termination of the rights hereby granted for any other cause, or upon the dissolution of the Company before such termination, the tracks and equipment of the Company constructed pursuant to this contract within the streets and highways shall become the property of the City without cost, and the same may be used or disposed of by the City for any purpose whatsoever, or the same may be leased to any company or individual.

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

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

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

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

The use of said railway which shall be constructed by the Company under this contract, including the tracks, wires and other equipment, or

any structures, in public streets and avenues owned by the Company and used in connection therewith, shall be permitted by the Company to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways, for street railway purposes, upon payment of an annual sum by such individual or corporation to the Company, which shall not exceed the legal interest on such proportion of the whole cost of the construction of such railway and structures and of the cost of keeping the tracks and track equipment in repair as the number of cars operated by such company or individual shall bear to the number of cars operated by the companies then using the same, together with the actual cost of the power necessary for the operation of the cars thereon of such individual or corporation and the cost of laying and repairing of pavement and removal of snow and ice, and all the other duties imposed upon the Company by the terms of this contract, in connection with the maintenance or the operation of the said railway so used.

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

Eighth—Said railway shall be operated by underground electric power substantially similar to the system of underground electric power now used by the street surface railways in the Borough of Manhattan, provided that any other power may be used, except locomotive steam power or horse power, which may be lawfully used, approved by the Board and consented to by the abutting property owners, in accordance with the provisions of law and by the Public Service Commission for the First District of the State of New York.

Ninth—No wires for the transmission of power shall be permitted unless they be placed in conduits underneath or along the side of the railway. When such conduits are constructed the Company shall provide two conduits not less than 3 inches in diameter each, for the exclusive use of the City. The Company hereby agrees that such conduits shall be used only by the Company and the City, as above.

Tenth—The Company shall commence construction of the railway herein authorized within thirty (30) days from the date upon which the consents of the property owners are obtained, or from the date upon which the decision of the Appellate Division of the Supreme Court that such railway ought to be constructed is rendered in lieu of such consents, and shall complete the construction and place the same in full operation within three (3) months from the date of obtaining such consents or such decision, otherwise this right shall cease and determine, and all sums paid, or which may be deposited with the Comptroller of the City, as hereinafter provided, shall thereupon be forfeited to the City; provided that such periods may be extended by the Board for a period or periods not exceeding in the aggregate six months each; and provided, further, that when the commencement or completion of said construction shall be prevented by legal proceedings in any court or by works of public improvement, or from other causes not within control of the Company, the time for the commencement or completion of such construction may be extended for the period of such prevention, but no delay shall be allowed for unless the court proceedings shall be diligently prosecuted by the Company, and provided, further, that in no case shall such delay be deemed to begin until the Company shall have given written notice to the Board of any such court proceedings or other occasion of delay, and deliver to the Board copies of any injunction or other orders, and the papers upon which the same shall have been granted, and unless upon the request of the Board the Company shall, in writing, consent that the Board, either in its own name as a party or in the name of the City as a party, may intervene in any such proceedings.

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

Twelfth—Said railway shall be constructed and operated in the latest improved manner of street railway construction and operation, and the railway and property of the Company shall be maintained in good condition throughout the term of this contract.

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

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

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

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

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

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

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

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

Twentieth—The Company shall at all times keep the streets, avenues or highways upon which the said railway is constructed, between its tracks, the rails of its tracks and for a distance of two feet beyond the rails, on either side thereof, free and clear from ice and snow; provided, however, that the Company shall, at the option of the Com-

missioner of Street Cleaning, enter into an agreement for each winter season, or part thereof, to clean an equivalent amount of street surface from house line to house line.

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

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

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

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

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

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

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

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

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

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

Thirtieth—The Company shall assume all liability to persons or property by reason of the construction or operation of the railway authorized by this contract, and it is a condition of this contract that the City shall assume no liability

whatsoever to either persons or property on account of the same, and the Company hereby agrees to repay to the City any damage which the City shall be compelled to pay by reason of any acts or default of the Company.

Thirty-first—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of the City of New York the sum of two thousand five hundred dollars (\$2,500) either in money or securities, to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railway, and in case of default in the performance by the Company of such terms and conditions the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges shall collect the same, with interest, from the said fund after ten days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel guards, in case of the violation of the provisions relating to those matters.

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

The Comptroller of the City, on complaint made, shall, in writing, notify the Company, through its President, to appear before him on a certain day, not less than ten (10) days after the date of such notice, to show cause why it should not be penalized in accordance with the foregoing provisions. If the Company fails to make an appearance, or, after a hearing, appears in the judgment of the Comptroller to be in fault, said Comptroller shall forthwith impose the prescribed penalty, or where the amount of the penalty is not prescribed herein, such amount as appears to him to be just, and without legal procedure withdraw the amount of such penalty from the security fund deposited with him. In case of any drafts made upon the security fund the Company shall, upon ten (10) days' notice in writing, pay to the Comptroller of the City a sum sufficient to restore said security fund to the original amount of two thousand five hundred dollars (\$2,500), and in default thereof this contract shall be canceled and annulled at the option of the Board, acting in behalf of the City. No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City.

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

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

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

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

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

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

THE CITY OF NEW YORK,  
By ..... Mayor.  
[CORPORATE SEAL]  
Attest: ..... City Clerk.  
THE THIRD AVENUE RAILROAD COMPANY,  
By ..... President.

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

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, including the provision as to rates, fares and charges, are as hereinbefore specified and fully set forth in and by the foregoing form of proposed contract for the grant of such franchise or right.

Resolved, That these preambles and resolutions, including the said resolution for the grant of a franchise or right applied for by the Third Avenue Railroad Company, and the said form of proposed contract for the grant of such franchise or right containing said results of such inquiry, after the same shall be entered in the minutes of the Board, shall be published for at least twenty (20) days immediately prior to Friday, January 23, 1909, in the City Record, and at least twice during the ten (10) days immediately prior to Friday, January 23, 1909, in two daily newspapers to be designated by the Mayor therefor and published in the City of New York, at the expense of the Third Avenue Railroad Company, together with the following notice, to wit:

Notice is hereby given that the Board of Estimate and Apportionment, before authorizing any contract for the grant of the franchise or right applied for by the Third Avenue Railroad Company, and fully set forth and described in the

foregoing form of proposed contract for the grant of such franchise or right, and before adopting any resolution authorizing any such contract, will, at a meeting of said Board, to be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on Friday, January 22, 1909, at 10.30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG, Secretary.  
Dated New York, December 11, 1908.  
d29,j22

## PUBLIC NOTICE.

**PUBLIC NOTICE IS HEREBY GIVEN** that at the meeting of the Board of Estimate and Apportionment, held this day, the following proceedings were had:

Whereas, The Brooklyn, Queens County and Suburban Railroad Company has, under date of September 19, 1907, made application to this Board for a grant of the right, privilege and franchise to construct, maintain and operate an extension to its existing street surface railway system upon and along Metropolitan avenue, from Dry Harbor road to Jamaica Plank road, in the Borough of Queens; and

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance of such laws, this Board adopted a resolution on October 18, 1907, fixing the date for public hearing thereon as November 15, 1907, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "Brooklyn Daily Eagle" and the "Brooklyn Citizen," newspapers designated by the Mayor, and in the City Record for ten days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, At a meeting of this Board held June 26, 1908, the Select Committee to whom the matter had been referred, submitted a report containing proposed conditions and a form of contract, and a resolution was adopted fixing September 18, 1908, as the date for the final public hearing; and

Whereas, At the meeting of the Board held November 18, 1908, a communication was received from the Company objecting to certain of the terms and conditions contained in the form of contract reported by the Select Committee, and an opinion was received from the Corporation Counsel stating that the matter should be referred back to the Select Committee, and such reference was accordingly made; and

Whereas, At a meeting of the Board held November 20, 1908, a further report was presented from said Select Committee recommending certain amendments in the form of contract previously presented, and the Chief Engineer was thereupon directed to prepare a contract in accordance with such recommendations, which amended form of contract has this day been received; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for and proposed to be granted to the Brooklyn, Queens County and Suburban Railroad Company and the adequacy of the compensation proposed to be paid therefor; now therefore it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the Brooklyn, Queens County and Suburban Railroad Company, containing the form of proposed contract for the grant of such franchise or right, be hereby introduced and entered in the minutes of this Board, as follows, to wit:

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

BROOKLYN, QUEENS COUNTY AND SUBURBAN RAILROAD COMPANY.

*Proposed Form of Contract.*

This contract, made this \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_, by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board); and the Brooklyn, Queens County and Suburban Railroad Company, incorporated for the purpose of building, maintaining and operating a railroad (hereinafter called the Company), party of the second part, witnesseth:

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

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate a double track extension to its present street surface railroad by the overhead electric system similar to that now used by the Company in the Borough of Queens, with the necessary wires and equipment, for public use in the conveyance of persons and property in the Borough of Queens, in The City of New York, upon the following route:

Commencing at the intersection of Metropolitan avenue and Dry Harbor road, thence easterly in and upon Metropolitan avenue to a point where the said Metropolitan avenue intersects the Jamaica plank road, in the Village of Jamaica, together with the right to connect the aforesaid tracks with the existing tracks of the petitioner on Jamaica plank road.

The said route and connections hereby authorized are more particularly shown upon a map entitled: "Map showing the proposed extension in the routes of the Brooklyn, Queens County and Suburban Railroad, in the Borough of Queens, to accompany petition to the Board of Estimate and Apportionment, dated September 19, 1907," signed and approved by T. S. Williams, Vice-President, and W. S. Menden, Chief Engineer, which map is attached hereto, is made a part of this contract, is to be construed with the text thereof, and is to be substantially followed, provided that deviations therefrom and additional switches, crossovers and spurs which are consistent with the foregoing description, and the other provisions of this franchise may be permitted by resolution of the Board of Estimate and Apportionment.

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

First—The consent in writing of the owners of half in value of the property, bounded on said streets and avenues, to the construction and operation of said railroad shall be obtained by the Company within six months of the signing of this contract by the Mayor and a copy of such consents shall be filed with the Board within such time, or in the event that such consents cannot be obtained, the Company shall within two months thereafter,

make application to the Appellate Division of the Supreme Court for the appointment of Commissioners in the manner provided by the Railroad Law to determine if said railroad ought to be constructed; otherwise this grant shall cease and determine.

Second—The said right to construct, maintain and operate a double-track street surface railroad, as herein described, shall be held and enjoyed by the Company, its successors or assigns, for the term of twenty-five (25) years from the date when this contract is signed by the Mayor, with the privilege of renewal of said contract for the further period of twenty-five (25) years, upon a fair revaluation of such right and privilege.

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

If the Company and the Board shall not reach such agreement on or before the day one year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding twenty-five (25) years shall be reasonable, and either the City (by the Board) or the Company shall be bound, upon request of the other, to enter into a written agreement with each other fixing the rate of such compensation at such amount as shall be reasonable, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement fixing such annual rate and at such amount as shall be determined by three disinterested freeholders selected in the following manner:

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

Third—The Company, its successors or assigns, shall pay to the City for this privilege the following sums of money:

The sum of one hundred dollars (\$100) in cash within thirty (30) days after the date on which this contract is signed by the Mayor.

During the first five (5) years after the commencement of operation of the extension herein provided for, annually on November 1, three (3) per cent. of its gross receipts for and during the year ending September 30 next preceding, and after the expiration of such five (5) years make a like annual payment into the treasury of the City of five (5) per cent. of its gross receipts. The Company shall pay such percentages only upon such portion of its gross receipts as shall bear the same proportion to its whole gross receipts as the length of such extension shall bear to the entire length of its line.

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

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

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

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

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

requisite and necessary connections with the tracks of the Company, its successors or assigns, which shall be constructed under this contract.

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

Ninth—The Company shall begin construction of the extension herein authorized within the time prescribed by the Railroad Law of the State of New York, and such extension shall be completed and shall be in operation on or before December 31, 1909; otherwise this grant shall cease and determine.

Tenth—The said railway shall be constructed, maintained and operated subject to the supervision and control of all the authorities of the City who have jurisdiction in such matters, as provided in the Charter of the City; and the Company agrees to make application to the Commissioner of Water Supply, Gas and Electricity for permission to string and maintain its electrical conductors in the streets covered by this grant.

Eleventh—The said railway shall be constructed and operated in the latest improved manner of street railway construction and operation, and the railway and property of the Company shall be maintained in good condition throughout the term of this contract.

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

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

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

Fifteenth—The Company, so long as it shall continue to use any of its tracks in any street or highway covered by this grant, shall have and keep in permanent repair that portion of such street or highway between its tracks and the rails of its tracks and two feet in width outside of its tracks, under the supervision of the proper local authorities and whenever required by them to do so and in such manner as they may prescribe. In case of neglect by the Company to make pavements or repairs after the expiration of thirty days' notice to do so, or within thirty days after the publication of such notice in the City Record, the local authorities may make the same at the expense of such corporation, and such authorities may make such reasonable regulations and ordinances as to the rate of speed, mode of use of tracks and removal of ice and snow as the interest or convenience of the public may require.

Sixteenth—Any alteration which may be required to the sewerage or drainage system, or to any subsurface structures, pipes, conduits, etc., laid in the streets, on account of the construction or operation of the railway, shall be made at the sole cost of the Company and in such manner as the proper City officials may prescribe.

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

Eighteenth—The Company shall at all times keep accurate books of account of the gross earnings from the privileges granted under this contract. The Company shall, on or before November 1 of each year, make a verified report to the Comptroller of The City of New York of the business done by the Company for the year ending September 30 next preceding, as he may prescribe. Such report shall contain a statement of the gross receipts from operation of the railway, together with such other information and in such detail as the Comptroller may require. The Comptroller shall have access to all books of the Company for the purpose of ascertaining the correctness of its report, and may examine its officers under oath.

Nineteenth—The Company shall assume all liability to persons or property by reason of the construction or operation of the railroad authorized by this contract, and it is a condition of this contract that the City shall assume no liability whatsoever to either persons or property on account of the same, and the Company hereby agrees to repay to the City any damage which the City shall be compelled to pay by reason of any acts or default of the Company, giving the Company notice and the right to intervene in any action or proceeding wherein such damages may be sought.

Twentieth—This grant is upon the express condition that the Company, within thirty (30) days after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall file with the Comptroller of The City of New York a bond in the sum of ten thousand dollars (\$10,000), with a surety or sureties to be approved by him, which bond shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual percentages for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railroad; and in case of default in the performance by the Company of such terms and conditions, the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges, shall collect the same, with interest, from the said fund after ten days' notice, in writing, to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel-guards, in case of the violation of the provisions relating to those matters. In the event of the forfeiture of the franchise for failure to complete the construction of the said extension and operate same on or before December 31, 1909, as herein provided, the said bond shall be returned to the Company.

Twenty-first—No action or proceeding or right under the provisions of this contract shall affect any other legal rights, remedies or causes of action belonging to the City. The grant of this privilege is subject to whatever right, title or interest the owners of abutting property or others

may have in and to the streets, avenues and highways in which the Company is authorized to operate.

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

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

Twenty-fourth—This grant is also upon the further and express condition that the provisions of Article IV. of the Railroad Law applicable thereto, and all laws or ordinances now in force, or which may be adopted affecting the streets and highways and the surface railroads operating in the City, not inconsistent with the terms and conditions hereinbefore fixed, shall be strictly complied with by the Company.

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

THE CITY OF NEW YORK.

By.....Mayor.

[CORPORATE SEAL.]

Attest:

.....City Clerk.

BROOKLYN, QUEENS COUNTY AND SUBURBAN RAILROAD COMPANY.

By.....President.

[SEAL.]

Attest:

.....Secretary.

(Here add acknowledgments.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, including the provision as to rates, fares and charges, are as hereinbefore specified and fully set forth in and by the foregoing form of proposed contract for the grant of such franchise or right.

Resolved, That these preambles and resolutions, including the said resolution for the grant of a franchise or right applied for by the Brooklyn, Queens County and Suburban Railroad Company, and the said form of proposed contract for the grant of such franchise or right, containing said results of such inquiry, after the same shall be entered in the minutes of this Board, shall be published for at least twenty (20) days immediately prior to Friday, January 22, 1909, in the City Record, and at least twice during the ten days immediately prior to Friday, January 22, 1909, in two daily newspapers to be designated by the Mayor therefor and published in The City of New York, at the expense of the Brooklyn, Queens County and Suburban Railroad Company, together with the following notice, to wit:

Notice is hereby given that the Board of Estimate and Apportionment, before authorizing any contract for the grant of the franchise or right applied for by the Brooklyn, Queens County and Suburban Railroad Company, and fully set forth and described in the foregoing form of proposed contract for the grant of such franchise or right, and before adopting any resolution authorizing any such contract, will, at a meeting of said Board, to be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on Friday, January 22, 1909, at 10.30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG, Secretary.

Dated New York, December 11, 1908.

d29,j22

**PUBLIC NOTICE IS HEREBY GIVEN** that at a meeting of the Board of Estimate and Apportionment, held December 11, 1908, the following petition was received:

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

The petition of the New York and Queens County Railway Company respectfully shows:

1. Your petitioner is a street surface railway corporation duly organized and existing under the laws of the State of New York, and owns and is engaged in operating a street surface railway upon divers streets and avenues in the Borough of Queens, City of New York.

2. On the 4th day of December, 1908, your petitioner, pursuant to section 90 of the Railroad Law, filed in the office of the Secretary of State a certificate of extension of its road, and on the 3d day of December, 1908, duly filed a duplicate original certificate of extension in the office of the County Clerk of Queens County, a copy of which extension is hereto annexed.

3. For the purpose of constructing and operating said extension or branch of its present road, your petitioner desires to obtain from your Honorable Board, and hereby respectfully applies for its consent to and a grant of the right, privilege and franchise for the construction, maintenance and operation of a double-track street surface railway as an extension or branch of its existing railway for public use in the conveyance of persons and property for compensation, in, upon, along and over the surface of certain streets, avenues and highways and public places in the Borough and County of Queens, City and State of New York, of which the following is a description:

Beginning at and connecting with its present tracks on Debevoise, or Second, avenue, at the junction of said avenue with Pierce avenue; thence southerly in, upon, along and over said Debevoise, or Second, avenue to and connecting with the tracks now operated by this company upon Jackson avenue, crossing such other streets, avenues, highways and public places as may be encountered in said route, and with such connections, turn-outs switches, cross-overs, stands, poles, wires and equipment as may be necessary for the construction and operation of said railway by the overhead system of electricity, or by any other motive power that may be lawfully employed upon the same.

4. The said corporation proposes to operate said extension or branch by the overhead system of electricity, substantially similar to that now in use upon its other lines, or by any other motive power that may be lawfully employed.

Wherefore, your petitioner prays that public notice hereof and of the time and place when and where this application will be first considered, be given as required by law, and that the desired

consent be granted, in accordance with the provisions of the Greater New York Charter.

Dated December 4, 1908.

**NEW YORK AND QUEENS COUNTY RAILWAY COMPANY.**

By W. O. Wood, Vice-President.

Attest:  
H. M. FISHER, Secretary.

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

W. O. Wood, being duly sworn, deposes and says: That he is the Vice-President of the New York and Queens County Railway Company, the petitioner named in the foregoing petition; that he has read the foregoing petition and knows the contents thereof and that the same is true of his own knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

W. O. WOOD.

Sworn to before me this 4th day of December, 1908.

A. G. PEACOCK, Notary Public, Kings County.

Certificate filed in Queens County.

--and the following resolutions were thereupon adopted:

Whereas, The foregoing petition from the New York and Queens County Railway Company, dated December 4, 1908, was presented to the Board of Estimate and Apportionment at a meeting held December 11, 1908.

Resolved, That, in pursuance of law, this Board sets Friday, the 8th day of January, 1909, at 10.30 o'clock in the forenoon, and Room 16 in the City Hall, Borough of Manhattan, as the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

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

JOSEPH HAAG, Secretary.

New York, December 11, 1908.

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**PUBLIC NOTICE IS HEREBY GIVEN** that at the meeting of the Board of Estimate and Apportionment, held this day, the following proceedings were had:

Whereas, The New York and North Shore Traction Company has, under date of June 11, 1908, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate a double-track street surface railway as an extension to its existing and proposed lines in Nassau County, upon and along Broadway, Tenth street, Bayside boulevard and other streets and avenues, in the Borough of Queens; and

Whereas, Section 92 of the Railroad Law and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance to such laws, this Board adopted a resolution on June 26, 1908, fixing the date for public hearing thereon as September 18, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "Flushing Evening Journal" and the "Long Island City Daily Star," newspapers designated by the Mayor, and in the CITY RECORD, for ten (10) days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the New York and North Shore Traction Company, and the adequacy of the compensation proposed to be paid therefor; now therefore it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the New York and North Shore Traction Company, containing the form of proposed contract for the grant of such franchise or right, be hereby introduced and entered in the minutes of this Board, as follows, to wit:

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

This contract made this \_\_\_\_\_ day of \_\_\_\_\_, 1909, by and between The City of New York (hereinafter called the City), party of the first part, by the Mayor of said City, acting for and in the name of said City, under and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the New York and North Shore Traction Company (hereinafter called the Company), party of the second part, witnesseth:

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

Section 1. The City hereby grants to the Company, subject to the conditions and provisions hereinafter set forth, the right and privilege to construct, maintain and operate a street surface railway, with the necessary wires and equipment, for the purpose of conveying persons and property in the Borough of Queens, in The City of New York, upon the portion of the following routes which lies within streets or avenues to which the City has title for street purposes:

Beginning at a point where the boundary line between The City of New York and the County of Nassau intersects Broadway in the Borough of Queens; thence in and upon Broadway to the easterly side of Bell avenue, in the former Village of Bayside;

Also beginning at the intersection of Broadway and Tenth street, in the former Village of Bayside, and there connecting with the above-described route on Broadway; thence in and upon Tenth street to an unnamed street; thence in and upon said unnamed street to Bayside boulevard; thence in and upon Bayside boulevard to Ashburton avenue; thence in and upon Ashburton avenue to Chambers street; thence in and upon Chambers street to Crocheron avenue; thence in and upon Crocheron avenue to Twenty-third street; thence in and upon Twenty-third street to State street; thence in and upon State street to Thirteenth street; thence in and upon Thirteenth street to Chestnut street; thence in and upon Chestnut street, across Murray street, Murray lane, and continuing in and upon private property in line of the prolongation of Chestnut street, to Chestnut street at Flushing place; and thence still in and upon Chestnut street to Whitestone avenue; thence in and upon Whitestone avenue to State street; thence in and upon State street to Farrington street; the railway upon all of said route to be of double track; thence by a single track continuing in and upon State street, from Farrington street to Prince street; thence in and upon Prince street to Broadway; thence in and upon Broadway to Farrington street; thence in and upon Farrington street

to State street, and there connecting with the double track above described; all in the Borough of Queens, City of New York.

The said routes, with switches and crossovers, are shown upon two maps, each of which is entitled "Map showing proposed street surface railway of the New York and North Shore Traction Company, in the Borough of Queens, to accompany petition for a franchise in the Board of Estimate and Apportionment, dated June 11, 1908," and signed by John J. Stanley, President, and Charles H. Clark, Consulting Engineer, copies of which maps are attached hereto, are to be deemed a part of this contract, and are to be substantially followed, provided that deviations therefrom and additional turnouts, switches and crossovers which are consistent with the foregoing description, and the other provisions of this contract, may be permitted by resolution of the Board.

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

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

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

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

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

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

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

(a) The sum of seven thousand dollars (\$7,000) in cash within four (4) months after the date on which this contract is signed by the Mayor, and before anything is done to exercise the privilege hereby granted.

(b) During the first term of five years an annual sum which shall in no case be less than two thousand two hundred dollars (\$2,200), and which shall be equal to three (3) per cent. of its gross annual receipts if such percentage shall exceed the sum of two thousand two hundred dollars (\$2,200).

During the second term of five years an annual sum which shall in no case be less than four thousand dollars (\$4,000), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of four thousand dollars (\$4,000).

During the third term of five years an annual sum which shall in no case be less than four thousand five hundred dollars (\$4,500), and which shall be equal to five (5) per cent. of its gross annual receipts, if such percentage shall exceed the sum of four thousand five hundred dollars (\$4,500).

During the fourth term of five years an annual sum which shall in no case be less than five thousand dollars (\$5,000), and which shall be equal to six (6) per cent. of its gross annual receipts, if such percentage shall exceed the sum of five thousand five hundred dollars (\$5,500).

During the remaining term of five years an annual sum which shall in no case be less than six thousand two hundred dollars (\$6,200), and which shall be equal to six (6) per cent. of its gross annual receipts if such percentage shall exceed the sum of six thousand two hundred dollars (\$6,200).

The gross receipts mentioned above shall be the gross earnings of the Company from all sources within the limits of the City. The payment of such minimum sums shall begin from the date on which this contract is signed by the Mayor.

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

Whenever such percentage required to be paid shall exceed the minimum amount as above, such sum over and above such minimum shall be paid to the said Comptroller on or before November

1 in each year for the year ending September 30 next preceding. The fiscal year shall end on September 30 next preceding said date of payment, and provisions of the Railroad Law as it now exists, or as it may hereafter be amended, relating to the manner of payments and statements of percentages of gross receipts of street railway companies not inconsistent with this contract, shall be strictly complied with.

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

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

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

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

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

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

The use of said railway which shall be constructed by the Company under this contract, including the tracks, wires and other equipment, or any structures in public streets and avenues owned by the Company and used in connection therewith shall be permitted by the Company to any individual or corporation to which the City may have granted, or may hereafter grant, the right or privilege to use such streets, avenues or highways for street railway purposes, for a distance not exceeding six thousand (6,000) feet of street, upon payment of an annual sum by such individual or corporation to the Company, which shall be equal to the legal interest on such proportion of the whole cost of the construction of such railway and structures and of the cost of keeping the tracks and track equipment in repair, as the number of cars operated by such company or individual shall bear to the number of cars operated by the companies then using the same, together with the actual cost of the power necessary for the operation of the cars thereon of such individual or corporation and the cost of laying and repairing of pavement and removal of snow and ice, and all the other duties imposed upon the Company by the terms of this contract, in connection with the maintenance or the operation of the said railway so used. Provided, however, that if in the opinion of the Company the legal rate of interest of the cost of such railway shall be an insufficient sum to pay for the use of such tracks, it may appeal to the Board, and the Board may fix a percentage of the cost to be paid to the Company at a sum in excess of the legal rate of interest, if in its opinion such action is justified.

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

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

Provided, however, that the Board, at any time after the first ten years of this contract, upon giving to the grantee one year's notice, may require the Company to operate its railway upon the whole or upon any portion of its route, by underground electric power substantially similar to the system now in use on the street surface railways in the Borough of Manhattan, and thereupon to discontinue the use of the overhead trolley system, and to remove its poles, wires and other structures used by it for that purpose from the streets, avenues and highways of the City.

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

Tenth—The Company shall commence construction of the railway herein authorized within six months from the date upon which the consents of the property owners are obtained, or from the

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

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

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

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

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

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

Fifteenth—Cars on the said railway shall run at intervals of not more than thirty minutes both day and night, and as much oftener as reasonable convenience of the public may require, or as may be directed by the Board; provided, however, that the Company, during the first five years of this contract, shall not be required to operate its cars between the hours of 1 o'clock a. m. and 5 o'clock a. m. each day, unless the Board shall determine, after a hearing had thereon, that public convenience requires the operation of cars during said hours.

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

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

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

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

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

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

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

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

Twenty-fourth—It is agreed that the right hereby granted to operate a street surface rail-

way shall not be in preference or in hindrance to public work of the City, and should the said railway in any way interfere with the construction of public works in the streets, whether the same is done by the City directly or by a contractor for the City, the Company shall, at its own expense, protect or move the tracks and appurtenances in a manner as directed by the President of the Borough of Queens.

Twenty-fifth—Should, in the opinion of the President of the Borough of Queens, the present roadway or any of said streets, avenues or highways be of insufficient width to accommodate both railway and other vehicular traffic, the Company shall widen such roadway under the direction of the President of the Borough of Queens to a width sufficient to accommodate such traffic, provided that no roadway shall be widened beyond the total width of the street, avenue or highway.

Twenty-sixth—Should, in the opinion of the Board at any time before or during construction of the railway, any of said streets, avenues or highways be of insufficient width to accommodate both railway and other vehicular traffic, the Company shall either construct and operate its railway upon a private right of way outside of the lines of such streets, avenues or highways, or shall purchase and cede to the City a strip of land adjacent thereto, for the purpose of widening the same to a width sufficient for the use of a street surface railway and for the accommodation of other vehicular traffic. If such street, avenue or highway is so widened, the Company shall grade the roadway thereon as directed by the President of the Borough of Queens.

Twenty-seventh—Where the bridges, viaducts or culverts encountered in the route are of insufficient width to carry the roadway as the same may be widened, as herein provided, or of insufficient strength to bear the additional load of a street surface railway, the Company shall either carry its tracks upon new structures independent of the existing ones, so as not to interfere with the present and future use by the City of such bridges, viaducts or culverts, or shall, without cost to the City, construct new bridges, viaducts or culverts sufficiently wide to carry the roadway as the same may be widened, as herein provided.

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

Twenty-ninth—The Company hereby agrees that if the City or it shall become entitled to acquire, and shall at any time during the term of this contract acquire, or otherwise come into possession of any of the property on which this Company shall construct railway tracks, on the route herein described, no compensation shall be awarded for the right to have railway tracks thereon.

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

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

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

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

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

cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided for.

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

Thirty-fifth—This grant is upon the express condition that the Company, within four (4) months after the signing of this contract by the Mayor, and before anything is done in exercise of the rights conferred hereby, shall deposit with the Comptroller of the City the sum of ten thousand dollars (\$10,000), either in money or securities to be approved by him, which fund shall be security for the performance by the Company of all of the terms and conditions of this contract, especially those which relate to the payment of the annual charges for the privilege hereby granted, the efficiency of the public service rendered, the repairs of the street pavement, the removal of snow and ice and the quality of construction of the railway, and in case of default in the performance by the Company of such terms and conditions, the City shall have the right to cause the work to be done and the materials to be furnished for the performance thereof after due notice, and shall collect the reasonable cost thereof from the said fund without legal proceedings; or after default in the payment of the annual charges shall collect the same, with interest, from the said fund after ten days' notice in writing to the Company; or in case of failure to keep the said terms and conditions of this contract relating to the headway, heating and lighting of cars, fenders, wheel guards and watering of street pavements, the Company shall pay a penalty of fifty dollars (\$50) per day for each day of violation, and the further sum of ten dollars (\$10) per day for each car that shall not be properly heated, lighted or supplied with fenders or wheel guards, in case of the violation of the provisions relating to those matters.

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

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

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

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

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

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

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

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

THE CITY OF NEW YORK,

By.....Mayor.

[CORPORATE SEAL.]

Attest:.....City Clerk.

NEW YORK AND NORTH SHORE

TRACTION COMPANY,

By.....President.

[SEAL.]

Attest:.....Secretary.

(Here add acknowledgments.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, including the provision as to rates, fares and charges, are as hereinbefore specified and fully set forth in and by the foregoing form of proposed contract for the grant of such franchise or right.

Resolved, That these preambles and resolutions, including the said resolution for the grant of a franchise or right applied for by the New York and North Shore Traction Company, and the said form of proposed contract for the grant of such franchise or right containing said results of such inquiry, after the same shall be entered in the minutes of the Board, shall be published for at least twenty (20) days immediately prior to Friday, January 8, 1909, in the City Record, and at least twice during the ten

days immediately prior to Friday, January 8, 1909, in two daily newspapers to be designated by the Mayor thereof and published in The City of New York, at the expense of the New York and North Shore Traction Company, together with the following notice, to wit:

Notice is hereby given that the Board of Estimate and Apportionment, before authorizing any contract for the grant of the franchise or right applied for by the New York and North Shore Traction Company, and fully set forth and described in the foregoing form of proposed contract for the grant of such franchise or right, and before adopting any resolution authorizing any such contract, will, at a meeting of said Board, to be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on Friday, January 8, 1909, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

JOSEPH HAAG, Secretary.

Dated December 4, 1908.

d5,j8

## OFFICIAL PAPERS.

Morning—"The Sun," "The New York Times."

Evening—"The Globe," "The Evening Mail."

Weekly—"Democracy," "Tammany Times."

German—"Staats-Zeitung."

Designated by the Board of City Record, January 22, 1906. Amended March 1, 1906; November 20, 1906; February 20, 1907, and March 5, 1908.

## SUPREME COURT—FIRST DEPARTMENT.

SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT, CORNER OF TWENTY-FIFTH STREET AND MADISON AVENUE, NEW YORK CITY.

SEALED BIDS OR ESTIMATES WILL BE received by the Presiding Justice of the Appellate Division of the Supreme Court in the First Department, at the Court House, Madison square, on

SATURDAY, JANUARY 16, 1909,

until 12 o'clock m.

FOR FURNISHING AND DELIVERING TO THE APPELLATE DIVISION OF THE SUPREME COURT IN THE FIRST DEPARTMENT AND THE SUPREME COURT IN THE FIRST JUDICIAL DISTRICT, BOOKS, STATIONERY AND OTHER ARTICLES REQUIRED FOR THE SAID APPELLATE DIVISION OF THE SUPREME COURT IN THE FIRST DEPARTMENT AND THE SUPREME COURT IN THE FIRST JUDICIAL DISTRICT, FOR THE YEAR 1909.

The time for the delivery of the books, stationery and other articles, as ordered by the Presiding Justice of the Appellate Division of the Supreme Court, is on or before December 31, 1909.

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

The bidder will state the price of each article specified in the specification or schedule contained in the said contract, the total sum to be paid for each separate class to be extended, so that the total amount paid under the contract can be ascertained, upon which total amount the award of the contract will be made. The right is reserved to reject any and all bids if, in the opinion of the Presiding Justice of the Appellate Division of the Supreme Court in the First Department, the same shall be for the benefit of the City.

The delivery of the books, stationery and other articles will be required to be made at the time and in the manner and in such quantities as may be directed by the Presiding Justice of the Supreme Court in the First Department.

Blank forms of the contract and specifications herein contained may be obtained at the office of the Clerk of the Appellate Division of the Supreme Court, at the Court House, Madison square, City and County of New York.

The person or persons making an estimate shall furnish the same in a sealed envelope, endorsed with the title given above, of the supplies for which the estimate is made, and his or their name or names, and the date of presentation to the head of the said Department, at the said office on or before the date and hour above named, at which time and place the estimates received will be publicly opened by the head of the said Department and read, and the award of the contract made according to law as soon thereafter as practicable.

Samples will be on exhibition at the office of the Clerk of the Appellate Division of the Supreme Court, at the Court House, Madison square, City and County of New York, until the bids are opened.

New York, January 4, 1909.

EDWD. PATTERSON,

Presiding Justice, Appellate Division, First Department.

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

## FIRST DEPARTMENT.

In the matter of the application of The City of New York, acting by and through the Commissioner of Docks, relative to acquiring right and title to and possession of the wharfage rights, terms, easements, emoluments and privileges appurtenant to PIER (OLD) 14, East River, in the Borough of Manhattan, City of New York, not now owned by The City of New York, and all right, title and interest in and to said pier, or any portion thereof, not now owned by The City of New York, and all wharfage rights, terms, easements, emoluments and privileges appurtenant to the easterly one-half part of all that certain bulkhead, dock or wharf property on or near the southerly line of South street, in said Borough and City, between the easterly side of Pier (old) 13 and the westerly side of Pier (old) 14, and between the easterly side of Pier (old) 14 and Pier (new) 12, not now owned by The City of New York, necessary 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 Board of Docks and approved by the Commissioners of the Sinking Fund.

NOTICE IS HEREBY GIVEN THAT THE final report of the Commissioners of Estimate and Assessment in the above-entitled matter will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III, to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 6th day of January, 1909, at 10:30

o'clock in forenoon of that day; and that the said final report has been deposited in the Office of the Clerk of the County of New York, there to remain for and during the space of five days, as required by law.

Dated Borough of Manhattan, New York, December 28, 1908.

JOHN T. DOOLING,  
THOMAS J. McMANUS,  
ADOLPH SCHILLINGER,  
Commissioners.

JOSEPH M. SCHENCK, Clerk.

d29,j4

## FIRST DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises at the northeasterly corner of WEST ONE HUNDRED AND SIXTY-SEVENTH STREET AND FORT WASHINGTON AVENUE, in the Borough of Manhattan, in The City of New York, duly selected with other lands and premises by the Armory Board and approved by the Commissioners of the Sinking Fund.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Appraisal in the above entitled proceeding, do hereby give notice to the owner or owners, lessee or lessees, parties or persons respectively entitled to or interested in the lands, tenements, hereditaments and premises, title to which is sought to be acquired in this proceeding, and to all others whom it may concern, to wit:

First—That we have completed our estimate of the loss and damage to the respective owners, lessees, parties or persons respectively entitled to or interested in the lands and premises affected by this proceeding, or having any interest therein, and have filed a true report or transcript of such estimate in the office of the Armory Board of The City of New York, in the Hall of Records, in the Borough of Manhattan, City of New York, for the inspection of whomsoever it may concern.

Second—That all parties or persons whose rights may be affected by the said estimate, or who may object to the same, or any part thereof, may, within ten days after the first publication of this notice, Saturday, December 26, 1908, file their objections, in writing, with us, at our office, Room 401, No. 258 Broadway, in the Borough of Manhattan, in The City of New York; and we, the said Commissioners, will hear parties so objecting, at our said office, on the 11th day of January, 1909, at 2 o'clock in the afternoon of that day, and upon such subsequent days as may be found necessary.

Dated New York, December 24, 1908.

EDWARD CHASE CROWLEY,  
DE LANCY CARTER,  
NATHAN M. CLARK,  
Commissioners.

JOSEPH M. SCHENCK, Clerk.

d26,j7

## FIRST DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the northerly side of TWENTIETH STREET and the southerly side of TWENTY-FIRST STREET, between Eighth and Ninth avenues, in the Borough of Manhattan, in The City of New York, duly selected as a site for school purposes, according to law.

NOTICE IS HEREBY GIVEN THAT THE report of Edward W. Fox and William H. F. Wood, Commissioners of Estimate and Appraisal, duly appointed in the above entitled proceeding, which report bears date the 14th day of December, 1908, was filed in the office of the Board of Education of The City of New York on the 21st day of December, 1908, and a duplicate of said report was filed in the office of the Clerk of the County of New York on the same day.

Notice is further given that the said report will be presented to the Supreme Court of the State of New York, in the First Judicial District, at Special Term, Part III, thereof, to be held at the County Court House, in the Borough of Manhattan, in The City of New York, on the 15th day of January, 1909, 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 not confirmed, and that said report be referred back to the same Commissioners for revision and correction or to new Commissioners to be appointed by the said Court to reconsider the subject matter thereof.

Dated New York, December 22, 1908.

FRANCIS K. PENDLETON,  
Corporation Counsel.

Hall of Records, Borough of Manhattan, City of New York.

d23,j5

## FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the widening of RIVER-SIDE DRIVE, on the easterly side, from West One Hundred and Fifty-eighth street to West One Hundred and Sixty-fifth street, in the Twelfth Ward, Borough of Manhattan, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate of assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us at our office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 15th day of January, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 18th day of January, 1909, at 11 o'clock a. m.

Second—That the abstract of our said estimate of assessment, together with our benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 18th day of January, 1909.

Third—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Manhattan, in The City of New York, which, taken together, are bounded and described as follows, viz.:

On the west by the Hudson River; on the north by Dyckman street; on the east by Broadway, and on the south by One Hundred and Thirty-fifth street.

Fourth—That, provided there be no objections filed to said abstract, our final last partial and separate report herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III., to be held in the County Court House in the Borough of Manhattan, in the City of New York, on the 11th day of March, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to said abstract of estimate of assessment, the notice of motion to confirm our final last partial and separate report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the City Record, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, December 19, 1908.

ARTHUR D. TRUAX, Chairman;  
PATRICK J. CONWAY,  
LAWRENCE KELLY,  
Commissioners.

JOHN P. DUNN, Clerk.

d22,j13

## SUPREME COURT—SECOND DEPARTMENT.

### SECOND DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the SOUTHWESTERLY CORNER OF FIFTY-EIGHTH STREET AND KOUWENHOVEN LANE, in the Borough of Brooklyn, in the City of New York, duly selected as a site for school purposes, according to law.

NOTICE IS HEREBY GIVEN THAT BY an order of the Supreme Court of the State of New York, dated the 30th day of April, 1908, John J. Haggerty, Charles A. Conrady and William Swartout were appointed Commissioners of Estimate and Appraisal in the above entitled proceeding.

Notice is further given that, pursuant to the statutes in such case made and provided, the said John J. Haggerty, Charles A. Conrady and William Swartout will attend at a Special Term of the Supreme Court for the hearing of motions, to be held at the County Court House in the County of Kings, Borough of Brooklyn, in the City of New York, on the 14th day of January, 1909, at 10.15 o'clock in the forenoon of that day, for the purpose of being examined under oath by the Corporation Counsel of the City of New York, or by any person interested in said proceedings as to their qualifications to act as such Commissioners of Estimate and Appraisal in this proceeding.

Dated New York, January 2, 1909.  
FRANCIS K. PENDLETON,  
Corporation Counsel.  
Hall of Records, Borough of Manhattan, New York City.

j4,14

### SECOND DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the NORTHERLY SIDE OF SECOND STREET (adjoining Public School 77), 259 feet 9 inches westerly from Seventh avenue, in the Borough of Brooklyn, City of New York, duly selected as a site for school purposes according to law.

NOTICE IS HEREBY GIVEN THAT BY an order of the Supreme Court of the State of New York, dated the 30th April, 1908, Frank Julian Price, Charles E. Teale and William F. Willis were appointed Commissioners of Estimate and Appraisal in the above entitled proceeding.

Notice is further given that pursuant to the statutes in such case made and provided, the said Frank Julian Price, Charles E. Teale and William F. Willis will attend at a Special Term of the Supreme Court for the hearing of motions, to be held at the County Court House, in the County of Kings, Borough of Brooklyn, in the City of New York, on the 14th day of January, 1909, at 10.15 o'clock in the forenoon of that day for the purpose of being examined under oath by the Corporation Counsel of the City of New York or by any person interested in said proceedings as to their qualifications to act as such Commissioners of Estimate and Appraisal in this proceeding.

Dated New York, January 2, 1909.  
FRANCIS K. PENDLETON,  
Corporation Counsel.  
Hall of Records, Borough of Manhattan, New York City.

j4,14

### SECOND DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the NORTHERLY SIDE OF WHIPPLE STREET, one hundred feet westerly from Throop avenue, in the Borough of Brooklyn, in the City of New York, duly selected as a site for school purposes, according to law.

NOTICE IS HEREBY GIVEN THAT BY an order of the Supreme Court of the State of New York, dated the 29th day of April, 1908, Edwin Louis Garvin, William Heaton and John J. Goodwin were appointed Commissioners of Estimate and Appraisal in the above entitled proceeding.

Notice is further given that, pursuant to the statutes in such case made and provided, the said Edwin Louis Garvin, William Heaton and John J. Goodwin will attend at a Special Term of the Supreme Court for the hearing of motions, to be held at the County Court House, in the County of Kings, Borough of Brooklyn, in the City of New York, on the 14th day of January, 1909, at 10.15 o'clock in the forenoon of that day, for the purpose of being examined under oath by the Corporation Counsel of the City of New York, or by any person interested in said proceedings, as to their qualifications to act as such Commissioners of Estimate and Appraisal in this proceeding.

Dated New York, January 2, 1909.  
FRANCIS K. PENDLETON,  
Corporation Counsel.  
Hall of Records, Borough of Manhattan, New York City.

j4,14

### SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title to the lands, tenements and hereditaments required for the purpose of opening and extending OTSEGO STREET, from Dwight street to

Beard street, in the Twelfth Ward, in the Borough of Brooklyn, in the City of New York, as the same has been heretofore laid out.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above entitled matter, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, at a Special Term thereof to be held for the hearing of motions, at the Kings County Court House, in the Borough of Brooklyn, in the City of New York, on the 18th day of January, 1909, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of Kings, there to remain for and during the space of ten days, as required by the provisions of section 999 of title 4 of chapter 17 of chapter 378 of the Laws of 1897, as amended by chapter 466 of the Laws of 1901.

Dated Borough of Brooklyn, New York, January 4, 1909.

WILLIAM L. CAREY,  
ISAAC C. WILSON,  
A. MCKINNY,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

j4,14

### SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of LOCKWOOD STREET (although not yet named by proper authority), from Paynter avenue to Grand avenue, in the First Ward, Borough of Queens, in the City of New York.

NOTICE IS HEREBY GIVEN THAT THE final supplemental and amended report of the Commissioners of Estimate and Assessment in the above entitled matter will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in the City of New York, on the 7th day of January, 1909, at 10.30 o'clock in the forenoon of that day; and that the said final supplemental and amended report has been deposited in the office of the Clerk of the County of Queens, there to remain for and during the space of five days, as required by law.

Dated Borough of Manhattan, New York, December 30, 1908.

WILLIAM GIBSON,  
DAVID H. HETHERINGTON,  
Commissioners.

JOHN P. DUNN, Clerk.

d30,j6

### SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired for the same purpose, in fee, to the lands, tenements and hereditaments required for the opening and extending of FORREST STREET, between Central avenue and Flushing avenue, in the Twenty-seventh Ward, Borough of Brooklyn, City of New York.

NOTICE IS HEREBY GIVEN TO ALL persons interested in the above entitled proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That the undersigned Commissioners of Estimate have completed their estimate of damage, and that all persons interested in this proceeding or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections, in writing, duly verified, with them at their office, No. 166 Montague street, in the Borough of Brooklyn, in the City of New York, on or before the 19th day of January, 1909, and that the said Commissioners will hear parties so objecting, and for that purpose will be in attendance at their said office on the 21st day of January, 1909, at 2 o'clock p. m.

Second—That the undersigned Commissioner of Assessment has completed his estimate of benefit and that all persons interested in this proceeding or in any of the lands, tenements and hereditaments and premises affected thereby, having any objection thereto, do file their said objections, in writing, duly verified, with him at his office, No. 166 Montague street, in the Borough of Brooklyn, in the City of New York, on or before the 19th day of January, 1909, and that the said Commissioner will hear parties so objecting, and for that purpose will be in attendance at his said office on the 22d day of January, 1909, at 2 o'clock p. m.

Third—That the Commissioner of Assessment has assessed any or all such lands, tenements and hereditaments and premises as are within the area of assessment fixed and prescribed by the Board of Estimate and Apportionment on the 8th day of February, 1907, and that the said area of assessment includes all those lands, tenements and hereditaments and premises situate and being in the Borough of Brooklyn, in the City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at the intersection of a line midway between Forrest street and Noll street with a line 100 feet southwestwardly from the southwesterly side of Central avenue and parallel therewith, the said distance being measured at right angles to the line of Central avenue, and running thence northwestwardly and parallel with the line of Central avenue to the intersection with a line distant 100 feet northwestwardly from the northwesterly side of Forrest street and parallel therewith, the said distance being measured at right angles to the line of Forrest street; thence running northeastwardly and parallel with the line of Forrest street to the intersection with the northwesterly side of Flushing avenue; thence northwestwardly at right angles to the line of Flushing avenue 100 feet; thence northeastwardly and parallel with the line of Flushing avenue to the intersection with a line at right angles to the line of Flushing avenue, and passing through a point on the southeasterly side of the said avenue midway between the intersection of the said southeasterly side with the southeasterly side of Forrest street and the southeasterly side of Hamburg avenue; thence southeastwardly along the course last described to the southeasterly side of Flushing avenue; thence southeastwardly and parallel with the line of Hamburg avenue to the intersection with the prolongation of a line midway between Forrest and Noll streets; thence southwestwardly and along the said line midway between Forrest street and Noll street to the point or place of beginning.

Fourth—That the abstracts of said estimate of damage and of said assessment for benefit, together with the damage and benefit maps, and

also all the affidavits, estimates, proofs and other documents used by the Commissioners of Estimate and by the Commissioner of Assessment in making the same, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 30th day of January, 1909.

Fifth—That, provided there be no objections filed to either of said abstracts, the reports as to awards and as to assessments for benefit herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, to be held in the County Court House, in the Borough of Brooklyn, in the City of New York, on the 17th day of March, 1909, at the opening of the Court on that day.

Sixth—In case, however, objections are filed to the foregoing abstracts of estimate and assessment, or to either of them, the motion to confirm the reports as to awards and as to assessments shall stand adjourned to the date to be hereafter specified in the notice provided in such cases to be given in relation to filing the final reports, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, December 30, 1908.

LUKE O'REILLY,  
JOHN J. HAGGERTY,  
SOLON BARBANELL,  
Commissioners of Estimate.  
SOLON BARBANELL,  
Commissioner of Assessment.

JAMES F. QUIGLEY, Clerk.

d30,j16

### SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of VANDERVOORT AVENUE, from Meeker avenue to Maspeth avenue, in the Eighteenth Ward, Borough of Brooklyn, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections, in writing, duly verified, to us at our office, No. 166 Montague street, in the Borough of Brooklyn, in the City of New York, on or before the 19th day of January, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 21st day of January, 1909, at 3 o'clock p. m.

Second—That the abstracts of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of the City of New York, No. 166 Montague street, in the Borough of Brooklyn, in said City, there to remain until the 30th day of January, 1909.

Third—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Brooklyn, in the City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at the point on the southerly side of Maspeth avenue, where the same is intersected by a line drawn parallel to Vandervoort avenue and distant 100 feet easterly therefrom; running thence southerly and at right angles to Maspeth avenue 100 feet; running thence westerly and parallel with Maspeth avenue to a point distant 100 feet westerly of the westerly prolongation of the line of Vandervoort avenue; running thence northerly and parallel with Vandervoort avenue to a point distant 100 feet northwestwardly of Meeker avenue, said distance being measured at right angles to Meeker avenue; running thence northeasterly and parallel with Meeker avenue 260 feet to a point distant 100 feet easterly of the easterly prolongation of the line of Vandervoort avenue; running thence southerly and parallel with Vandervoort avenue to the point or place of beginning.

Fourth—That, provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in the City of New York, on the 17th day of March, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to either of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the City Record, and in the corporation newspapers, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Brooklyn, New York, December 30, 1908.

WM. G. LAWRENCE, Chairman;  
NOAH TEBBETTS,  
ADOLPH PETTENKOFER,  
Commissioners.

JAMES F. QUIGLEY, Clerk.

d30,j16

## SUPREME COURT—THIRD JUDICIAL DISTRICT.

### THIRD JUDICIAL DISTRICT, ULSTER COUNTY.

#### ASHOKAN RESERVOIR.

NOTICE OF APPLICATION FOR THE APPOINTMENT OF COMMISSIONERS OF APPRAISAL AND FOR THE APPROVAL BY THE SUPREME COURT OF THE NEW HIGHWAY SYSTEM SHOWN ON THE MAP HEREINAFTER REFERRED TO IN THE TOWNS OF OLIVE, MARLBETOWN, HURLEY, WOODSTOCK AND KINGSTON, ULSTER COUNTY.

PUBLIC NOTICE IS HEREBY GIVEN that it is the intention of the Corporation Counsel of the City of New York to make application to the Supreme Court of the State of New York for the appointment of Commissioners of Appraisal under chapter 724 of the Laws of 1905 and the acts amendatory thereof and supplemental thereto, and for the purpose of procuring the approval by the Supreme Court of

the new highway system shown on said map and hereinafter particularly described.

Such application will be made to the Supreme Court at a Special Term thereof to be held in and for the Third Judicial District, at the City Hall, in the City of Albany, Albany County, N. Y., on the 13th day of February, 1909, at 10 o'clock in the forenoon of that day or as soon thereafter as Counsel can be heard. The object of such application is to obtain an order of the Court appointing three disinterested and competent freeholders, one of whom shall reside in the County of New York and at least one of whom shall reside in the County of Ulster, to act as Commissioners of Appraisal under said act and discharge all the duties conferred by said act and the acts amendatory thereof and supplemental thereto, and for the approval by the Court of the highway system shown on said map and hereinafter more particularly described.

The real estate sought to be taken or affected is situated in the Towns of Olive, Marlbtown, Hurley, Woodstock and Kingston, County of Ulster and State of New York.

The following is a description of the real estate to be acquired in fee, together with a reference to the date and place of filing the map, said real estate being existing highways which are to be closed.

All the highways which lie within the area of real estate heretofore acquired, or to be acquired, by The City of New York for the construction of the Ashokan Reservoir, shown on a map of Highway Section, Reservoir Department, filed in the office of the County Clerk of the County of Ulster, at Kingston, N. Y., on the 7th day of July, 1908, which said map is entitled "Reservoir Department, Highway Section, Board of Water Supply of The City of New York. Map of real estate to be acquired and real estate to be substituted therefor, situated in the Towns of Olive, Marlbtown, Hurley, Woodstock and Kingston, County of Ulster and State of New York, under the provisions of chapter 724 of the Laws of 1905, as amended, for the construction of Ashokan Reservoir and appurtenances," which said highways are numbered from 1 to 70, consecutively, both inclusive, said numbers being contained within the heavy single lined circles, and are described as follows:

#### Town of Olive.

1. Tongore Road—From a point 800 feet north-easterly of the Tongore M. E. Church to its junction with Shokan avenue, in the Village of West Shokan; length 3.61 miles.
2. Question Hook Road—From the Tongore road to the Samsonville road; length 0.76 mile.
3. Samsonville Road—From Olive City to the corner near the residence of Marshall Hollister; length 1.18 miles.
4. Turner Road—From its junction with the Tongore road to the line of the substituted new highway, hereinafter described, near the residence of Lorenzo B. Bishop; length 0.52 mile.
5. Mountain Road—From its junction with the Tongore road to the line of the substituted new highway, hereinafter described; length 0.30 mile.
6. Bridal Veil Road—From its junction with the Tongore road, near Buccabone Brook, to the line of the substituted new highway, hereinafter described, near the residence of George Worden; length 0.87 mile.
7. McMillan Road—From its junction with the Bridal Veil road to the line of the substituted new highway, hereinafter described; length 0.45 mile.
8. Cross Road—Between Tongore road and Bridal Veil road, from its junction with the Tongore road, near Brodhead's Bridge, to its junction with the Bridal Veil road; length 0.15 mile.
9. Bushkill Road—From its junction with the Tongore road and Shokan avenue, in the Village of West Shokan, to the line of the substituted new highway, hereinafter described; length 0.85 mile.
10. High Point Road—From its junction with the Bushkill road, near the Baptist Church, to the line of the substituted new highway, hereinafter described; length 0.60 mile.
11. Hesley Road—From its junction with the High Point road to the line of the substituted new highway, hereinafter described; length 0.15 mile.
12. Shokan Avenue—From its junction with the Tongore road and the Bushkill road, in the Village of West Shokan, to its junction with the State road at the easterly end of the Shokan Bridge; length 0.76 mile.
13. Creek Road—From its junction with Shokan avenue, near the westerly end of the Shokan Bridge, to its junction with the Tongore road, near the Evergreen Cemetery; length 0.66 mile.
14. Old Road to Shokan—From its junction with the Creek road, near the Shokan Bridge, to its junction with the Tongore road, near the residence of W. B. Ennist; length 0.57 mile.
15. West Shokan to Boiceville—From its junction with Shokan avenue, near the railroad station, to the line of the substituted new highway, hereinafter described, near the residence of Levi Bell; length 3 miles.
16. A Road—From its junction with Shokan avenue, near the westerly end of the Shokan Bridge, to its junction with the West Shokan to Boiceville road, near the Bushkill Bridge; length 0.67 mile.
17. A Road—From its junction with the Bushkill road, near the residence of Merritt Crispell, to its junction with the West Shokan to Boiceville road, near the Bushkill Bridge; length 0.34 mile.
18. Wank or Burger Road—From its junction with the West Shokan to Boiceville road to the line of the substituted new highway, hereinafter described; length 0.95 mile.
19. Traver Hollow Road—From its junction with the West Shokan to Boiceville road to the line of the substituted new highway, hereinafter described; length 0.13 mile.
20. Coons Road—From its junction with the Tongore road at Olive City to the Ulster and Delaware Railroad at Browns Station; length 1.75 miles.
21. Pulp Mill Road—From the Ulster and Delaware Railroad at Browns Station to a point near Browns Bridge, across the Beaverkill; length 0.40 mile.
22. Browns Station to Shokan Road—From the Ulster and Delaware Railroad at Browns Station to the State road at Shokan; length 2.96 miles.
23. Palen Road—From its junction with the Coons road, near the Winchell Cemetery, to its junction with the Browns Station to Shokan road, near the residence of Marshall Winn; length 0.57 mile.
24. State Road—From the easterly end of the Shokan Bridge to the westerly line of property owned by Charles McDonald; length 1.04 miles.
25. Dugway Road—From the easterly end of the Shokan Bridge to the line of the substituted new highway, hereinafter described, to a point 850 feet southerly from the residence of John McKelvey; length 3.04 miles.
26. Cross Road from the Boiceville Post Office to the Shandaken Road—From the Boiceville post office to a point 75 feet westerly from the Patchen Brook; length 0.57 mile.
27. Shandaken Road—From the State road at Shokan to the line of the substituted new highway, hereinafter described, at a point 300 feet southeasterly from the house of Joseph Dewitt; length 1.04 miles.
28. Rainey Road—From its junction with the Brown's Station to Shokan road, near the resi-

dence of Oliver Davis, to the line between lands now or formerly of John Windrum and Benjamin Van Steenburgh; length, 1.32 miles.

29. Green Road—From its junction with the Brown's Station to Shokan road, near the residence of William Angevine to its junction with the Raiey road; length, 1.42 miles.

30. Brown's Station to Ashton Road—From Brown's Station to the State road, between Olive and Ashton; length, 2.65 miles.

31. State Road—From a point 1,200 feet westerly from the Four Corners at Olive to the line between the towns of Olive and Hurley; length, 1.37 miles.

32. A Cross Road—From its junction with the State road, near the residence of R. Goldberg, to the line of the substituted new highway, hereinafter described; length, 0.40 mile.

33. A Cross Road—From its junction with the Brown's Station to Ashton road, near the sawmill, to the line of the substituted new highway, hereinafter described; length, 0.84 mile.

34. A Road—From its junction with the cross road in front of the residence of John Gallagher to its junction with the cross road leading to the Baptist Church; length, 0.87 mile.

35. Green Hill Road—From its junction with the Brown's Station to Ashton road, near the residence of Uriah Wood, to the junction with the Green road, near the residence of George Green; length, 0.60 mile.

36. Beaverkill Road—From its junction with the Pulp Mill road, near the school house at Brown's Station, to the line between the towns of Olive and Hurley; length, 1.61 miles.

37. Brown's Station to Stone Church Road—From its junction with the Beaverkill road, near the Beaverkill Bridge, to the line between the towns of Olive and Marletown; length, 0.85 mile.

38. Manser Road—From its junction with the Brown's Station to Stone Church road, near the residence of Mrs. Leonard, to the line between the towns of Olive and Marletown; length, 0.66 mile.

Total length of roads above described in the town of Olive: 40.48 miles.

#### Town of Marletown.

39. Manser Road—From the line between the towns of Olive and Marletown to the line between the towns of Marletown and Hurley; length, 0.13 mile.

40. Brown's Station to Stone Church Road—From the line between the towns of Olive and Marletown to its junction with the Marletown road, near the residence of Spencer Jones; length, 1.42 miles.

41. Lapla Road—From its junction with the Brown's Station to Stone Church road, near the bridge over the Clovekill, to line of the substituted new highway, hereinafter described; length, 0.15 mile.

42. Marletown Road—From its junction with the Lapla road, near the school house, to the line of the substituted new highway, hereinafter described; length, 0.76 mile.

43. Pulp Mill Road—From its junction with the Brown's Station to Stone Church road to the line between the L. P. Miller property and property owned by New York City; length, 0.10 mile.

44. Hogan Road—From its junction with the Brown's Station to Stone Church road to the line between the towns of Marletown and Hurley; length, 0.95 mile.

Total length of roads above described in the town of Marletown: 3.51 miles.

#### Town of Hurley.

45. Plank Road—From the line between the towns of Olive and Hurley, at Ashton, to the line between the properties of Tappert Brothers and Andrew Mulligan, near West Hurley; length, 4.59 miles.

46. Beaverkill Road—From the line between the towns of Olive and Hurley to the Plank road; length, 2.20 miles.

47. Manser Road—From the line between the towns of Marletown and Hurley to the Beaverkill road, near the residence of William Urban; length, 0.10 mile.

48. Hogan Road—From the line between the towns of Marletown and Hurley to the Beaverkill road, near the residence of Fred Hales, Sr.; length, 1 mile.

49. Cross Road—From its junction with the Beaverkill road, near the school house, District No. 2, to line of the substituted new highway, hereinafter described; length, 0.23 mile.

50. Quarry Road—From its junction with the plank road, near the Goodwin quarry, to the line of the substituted new highway, hereinafter described; length, 0.62 mile.

51. Marletown Road—From its junction with the plank road, near the school house, District No. 6, to the line of the substituted new highway, hereinafter described; length, 0.65 mile.

52. New Road—From its junction with the plank road, in the village of West Hurley, to the line of the substituted new highway, hereinafter described; length, 0.70 mile.

53. Honey Street—From its junction with the plank road to its junction with the new road; length, 0.22 mile.

54. Steenekill Road—From the plank road at Carey's Corners to the line of the substituted new highway, hereinafter described; length, 0.60 mile.

55. Morgan Hill Road—From its junction with the plank road, in the village of West Hurley, to the line of the substituted new highway, hereinafter described, near the house of William Young; length, 0.62 mile.

56. Glenford Road—From its junction with the plank road, near the school house at Ashton, to its junction with the plank road at Carey's Corners; length, 5.50 miles.

57. Vandale Road—From its junction with the plank road to a point 150 feet southerly from where said road crosses the line between the towns of Hurley and Kingston; length, 0.66 mile.

58. Cross Road to Vandale—From its junction with the Glenford road to its junction with the Vandale road, 250 feet southerly from where said road crosses the line between the towns of Hurley and Kingston; length, 0.50 mile.

59. Van Steenburgh Road—From its junction with the Glenford road, near the residence of Charles Van Steenburgh, to the line between the towns of Hurley and Woodstock; length, 0.62 mile.

60. Quarry Street—All of Quarry street, in the village of West Hurley; length, 0.08 mile.

61. Railroad Avenue—From its junction with the plank road, in the village of West Hurley, to its junction with the Glendale road, near the residence of Charles Van Steenburgh; length, 0.76 mile.

62. Woodstock Road—From its junction with the Glenford road, near the residence of Henry Beisner, to the line of the substituted new highway, hereinafter described, near the residence of Nathan Wolven; length, 0.47 mile.

63. Sawkill Road—From its junction with the Woodstock road, near the school house, District No. 5, to the line of the substituted new highway, hereinafter described; length, 0.29 mile.

64. Cross Road—From its junction with the Glenford road, near the residence of Ira Sax, to the Plank road, near the Goodwin quarry; length, 1.16 miles.

65. Glenford to Woodstock Road—From its junction with the Glenford road to the line of the substituted new highway, hereinafter described; length, 0.38 mile.

66. Glenford to Yauketown Road—From its junction with the Glenford road, near the Glenford post office, to the line of the substituted new highway, hereinafter described; length, 0.10 mile.

67. Glenford to Woodstock (Mountain Road)—From its junction with the Glenford road, near the M. E. Church, to the line of the substituted new highway, hereinafter described; length, 0.15 mile.

68. Temple Pond Road—From its junction with the plank road, near the Ashton post office, to the line of the substituted new highway, near the outlet of Temple Pond; length, 1.16 miles.

69. Cross Road—From its junction with the Glenford road, near the residence of Sherman Ballard, to its junction with the Temple Pond road; length, 0.47 mile.

Total length of roads above described in the town of Hurley, 23.83 miles.

#### Town of Woodstock.

70. Van Steenburgh Road—From the line between the towns of Hurley and Woodstock to the line between the Matthew Williams' property and property owned or to be acquired by New York City; length, 0.13 mile.

Total length of roads above described in town of Woodstock, 0.13 mile.

The following is a description shown on said map as it is proposed to substitute in place of the real estate now used for such highway purposes. The public to have the perpetual use of such real estate so substituted for highway purposes:

DESCRIPTION OF STRIPS OF REAL ESTATE, SHOWN ON MAP OF HIGHWAY SECTION, RESERVOIR DEPARTMENT, WHICH ARE TO BE DEDICATED TO THE USE OF THE PUBLIC FOR HIGHWAY PURPOSES, TO TAKE THE PLACE OF SUCH PUBLIC HIGHWAYS, SHOWN ON SAID MAP, AS ARE TO BE DISCONTINUED.

All those certain strips, pieces or parcels of real estate, sixty-six feet wide, shown on a map of Highway Section, Reservoir Department, filed in the office of the County Clerk of the County of Ulster, at Kingston, N. Y., on the 7th day of July, 1908, which said map is entitled "Reservoir Department, Highway Section, Board of Water Supply of the City of New York. Map of real estate to be acquired and real estate to be substituted therefor, situated in the Towns of Olive, Marletown, Hurley, Woodstock and Kingston, County of Ulster and State of New York, under the provisions of chapter 724 of the Laws of 1905, as amended, for the construction of Ashokan Reservoir and appurtenances," which said strips are numbered from 1 to 23 consecutively, both inclusive, said numbers being contained within the large double circles, are to be acquired in fee and are described as follows:

#### 1. Substituted New Highway, Town of Olive.

Beginning at an angle in the Samsonville road opposite the residence of Marshall Hollister, and running thence (1) north 42 degrees 01 minutes west 419.8 feet; (2) thence to and partly along the exterior line of Section 4 (property acquired by The City of New York), north 44 degrees 06 minutes west 1,402.9 feet; (3) thence continuing along said exterior line and along the exterior lines of Sections 8 and 10, the following courses, distances and curves: On a curve of 633 feet radius to the right, 760 feet; (4) north 24 degrees 44 minutes east 963.7 feet; (5) on a curve of 1,367 feet radius to the left, 479.3 feet; (6) north 4 degrees 40 minutes east 4,019.6 feet; (7) on a curve of 467 feet radius to the left, 446.1 feet; (8) north 50 degrees 05 minutes west 261.8 feet; (9) on a curve of 667 feet radius to the left, 453.2 feet; (10) north 89 degrees west 1,010.4 feet; (11) on a curve of 1,067 feet radius to the left, 647.1 feet; (12) south 56 degrees 15 minutes west 219.2 feet; (13) on a curve of 533 feet radius to the right, 479.5 feet; (14) north 72 degrees 11 minutes west 1,231.7 feet; (15) on a curve of 1,833 feet radius to the right, 207.9 feet; (16) north 65 degrees 41 minutes west 556.4 feet; (17) on a curve of 433 feet radius to the right, 322.6 feet; (18) north 23 degrees west 219 feet; (19) north 9 degrees 02 minutes east 321.6 feet; (20) on a curve of 767 feet radius to the left, 382.3 feet; (21) north 28 degrees 42 minutes west 251.9 feet; (22) on a curve of 767 feet radius to the left, 365.2 feet; (23) north 55 degrees 59 minutes west 1,221.1 feet; (24) on a curve of 833 feet radius to the right, 217.3 feet; (25) north 41 degrees 02 minutes west 2,163.8 feet; (26) on a curve of 767 feet radius to the left, 248.9 feet; (27) north 59 degrees 38 minutes west 191.5 feet; (28) on a curve of 833 feet radius to the right, 350.3 feet; (29) north 35 degrees 33 minutes 20 seconds west 617.3 feet; (30) on a curve of 833 feet radius to the right, 450.1 feet and (31) north 4 degrees 36 minutes west 1,092 feet; thence north 4 degrees 24 minutes 40 seconds west 1,051.7 feet to another point in the exterior boundary line of said section No. 10; (32) thence along said boundary line, the following courses, distances and curves: North 4 degrees 06 minutes 10 seconds west 1,213.2 feet; (33) north 9 degrees 44 minutes 20 seconds west 1,158.7 feet; (34) north 39 degrees 39 minutes 20 seconds east 700.8 feet; (35) north 20 degrees 05 minutes 10 seconds east 629.7 feet; (36) on a curve of 833 feet radius to the right, 250.3 feet; (37) north 37 degrees 18 minutes 10 seconds east 511.3 feet; (38) on a curve of 267 feet radius to the left 294.8 feet; (39) north 25 degrees 57 minutes 50 seconds west 763.1 feet; (40) north 25 degrees 41 minutes east 533 feet radius to the right, 371.9 feet; (41) north 35 degrees 30 minutes 30 seconds east 100.1 feet; (42) on a curve of 467 feet radius to the left, 477 feet; (43) north 23 degrees 01 minutes west 579.1 feet; (44) on a curve of 250 feet radius to the left, 165.2 feet; (45) north 60 degrees 52 minutes west 474.9 feet; (46) north 19 degrees 32 minutes 50 seconds west 673 feet; (47) on a curve of 200 feet radius to the right, 157.2 feet; (48) north 25 degrees 30 minutes east 177.5 feet; (49) on a curve of 450 feet radius to the left, 206.9 feet; (50) north 50 minutes 20 seconds west 1,086.7 feet; (51) on a curve of 1,033 feet radius to the right, 986.8 feet; (52) north 53 degrees 53 minutes 30 seconds east 400.4 feet; (53) on a curve of 567 feet radius to the left, 410.2 feet; (54) north 12 degrees 26 minutes 10 seconds east 152.9 feet; (55) north 81 degrees 52 minutes 10 seconds east 128.3 feet; (56) on a curve of 138.2 feet radius to the left, 136.3 feet; (57) north 25 degrees 21 minutes east 295 feet; (58) on a curve of 420.5 feet radius to the right, 475.2 feet; (59) south 89 degrees 53 minutes east 427.3 feet to a line 40 feet west of the centre line of the Ulster and Delaware Railroad and parallel thereto; (60) thence along said line, south 4 degrees 06 minutes west 66.2 feet; (61) thence returning parallel to and 66 feet from courses 60 to 56, inclusive, until opposite the beginning of course 56; thence on a curve of 120 feet radius to the left 145.3 feet; thence south 12 degrees 26 minutes west 26 feet until opposite the end of course 54; thence continuing parallel to and 66 feet from courses 54 to 49, inclusive, until opposite the end of course 48; thence on a curve of 134 feet radius to the left, 172.4 feet; thence south 48 degrees 13 minutes east 73.5 feet; thence on a curve of 216 feet radius to the right, 108.7 feet; thence south 19 degrees 32 minutes 50 seconds east 452.2 feet; thence on a curve of 134 feet radius to the left, 97 feet; thence south 60 degrees 52 minutes east 280 feet until opposite the end of course 45; thence parallel to and 66 feet from courses 45 to 36, inclusive; thence south 39 degrees 39 minutes 20 seconds west 395 feet; thence on a

curve of 600 feet radius to the left, 517.2 feet; thence south 9 degrees 44 minutes 20 seconds east 855 feet; thence parallel to and 66 feet from courses 33 to 20, inclusive; thence south 10 minutes east 351.1 feet; thence on a curve of 367 feet radius to the left, 419.7 feet until opposite the end of course 16; thence parallel to and 66 feet from courses 16 to 1, inclusive, until opposite the place of beginning; thence south 47 degrees 59 minutes west 66 feet, to the said point or place of beginning; length, 6.92 miles.

#### 2. Substituted New Highway, Town of Olive.

Beginning at a point 40 feet easterly from the centre line of the Ulster and Delaware Railroad at a point opposite the end of course 61 in the description of Substituted New Highway No. 1, and running thence parallel to and 40 feet from said centre line, north 4 degrees 6 minutes east 60.3 feet and north 85 degrees 54 minutes west 7 feet; thence parallel to and 33 feet from the centre line of the Ulster and Delaware Railroad and along the exterior line of real estate Section No. 11, north 4 degrees 6 minutes east 278.7 feet, and on a curve of 1,943 feet radius to the left 145 feet; thence continuing along the said exterior line and the exterior lines of Sections Nos. 12 and 14 the following courses, distances and curves: (1) North 63 degrees 31 minutes 20 seconds east 1,063.6 feet; (2) south 20 degrees 43 minutes 50 seconds east 466.4 feet; (3) on a curve of 854.5 feet radius to the left 329.3 feet; (4) on a curve of 350 feet radius to the right 249.4 feet; (5) south 1 degree 59 minutes 20 seconds east 153.6 feet; (6) on a curve of 600 feet radius to the right 306.6 feet; (7) south 27 degrees 17 minutes 10 seconds west 254.9 feet; (8) on a curve of 889.8 feet radius to the left 290.5 feet; (9) on a curve of 467 feet radius to the left 571 feet; (10) on a curve of 341 feet radius to the right 342.4 feet; (11) south 3 degrees 56 minutes 30 seconds east 1,308.7 feet; (12) on a curve of 767 feet radius to the left 237.7 feet; (13) south 21 degrees 42 minutes east 1,419.5 feet; (14) on a curve of 833 feet radius to the right 410.6 feet; (15) on a curve of 1,158.9 feet radius to the left 593.6 feet; (16) on a curve of 1,320.3 feet radius to the left 645 feet; (17) south 50 degrees 47 minutes 50 seconds east 227.4 feet; (18) on a curve of 230 feet radius to the right 326.4 feet; (19) south 30 degrees 31 minutes 10 seconds west 171.1 feet; (20) on a curve of 101.1 feet radius to the left 166.2 feet; (21) south 63 degrees 41 minutes 40 seconds east 103.9 feet; (22) on a curve of 433 feet radius to the right 312.3 feet; (23) on a curve of 560.6 feet radius to the left 260.2 feet; (24) south 48 degrees 57 minutes 40 seconds east 2,266.2 feet; (25) on a curve of 2,167 feet radius to the left 392.9 feet; (26) south 59 degrees 21 minutes east 1,961.2 feet; (27) on a curve of 767 feet radius to the left 385 feet; (28) south 88 degrees 6 minutes 40 seconds east 311.9 feet; (29) on a curve of 498 feet radius to the right 633.8 feet; (30) south 11 degrees 44 minutes 20 seconds east 302.2 feet; (31) on a curve of 267 feet radius to the left 355.9 feet; (32) south 88 degrees 7 minutes east 584.2 feet; (33) on a curve of 433 feet radius to the right 319.3 feet; (34) on a curve of 988.1 feet radius to the left 552.4 feet; (35) south 77 degrees 54 minutes 10 seconds east 500.2 feet; (36) thence on a curve of 333 feet radius to the right 293.3 feet; (37) and on a curve of 139.6 feet radius to the left 181 feet to another point in the exterior line of Section No. 14, on the northerly side of the State road; thence south 13 degrees 52 minutes east 49.5 feet; thence south 76 degrees 8 minutes west 30 feet; thence on a curve of 175 feet radius to the right 226.9 feet, to a point 66 feet from and opposite the end of course 36; thence parallel to and 66 feet from courses 36 to 3, inclusive; thence north 20 degrees 43 minutes 50 seconds west 318.9 feet; thence on a curve of 67 feet radius to the left 112 feet; thence south 63 degrees 31 minutes 20 seconds west 749.3 feet; thence on a curve of 217 feet radius to the left 225 feet; thence south 4 degrees 6 minutes west 320 feet until opposite the place of beginning; thence north 85 degrees 54 minutes west 59 feet to the said point or place of beginning; length 3.71 miles.

Also, a right of crossing over the Ulster and Delaware Railroad between the end of Substituted New Highway No. 1 and the beginning of No. 2.

#### 3. Substituted New Highway, Town of Olive.

Beginning at a point in the northerly bounds of the State road, where the exterior line of Section No. 14 intersects the same, and running thence along the said exterior line and the exterior line of Section No. 13, (1) north 63 degrees 31 minutes east 5,154.4 feet, (2) on a curve of 1,667 feet radius to the left, 584.2 feet, and (3) north 42 degrees 58 minutes 10 seconds east 1,483.1 feet to the line between the Towns of Olive and Hurley; thence along said town line, south 25 degrees 34 minutes east 61.4 feet; thence returning parallel to and 66 feet from courses 3 to 1, inclusive, until opposite the place of beginning; thence due north 74 feet to the said point or place of beginning; length 1.37 miles.

#### 4. Substituted New Highway, Town of Hurley.

Beginning at the end of the third course of Parcel No. 3 of the substituted new highway, in the line between the Towns of Olive and Hurley, and running from thence along the exterior line of Section No. 13, the following courses, distances and curves: North 42 degrees 58 minutes 10 seconds east 701.8 feet, on a curve of 9,633 feet radius to the right, 401.2 feet, north 45 degrees 21 minutes 20 seconds east 686.7 feet, on a curve of 2,133 feet radius to the right, 478.7 feet, north 58 degrees 12 minutes 50 seconds east 753.3 feet, on a curve of 1,067 feet radius to the left, 484.3 feet, north 32 degrees 12 minutes 30 seconds east 496.9 feet, on a curve of 533 feet radius to the right, 726.7 feet, on a curve of 556.8 feet radius to the left, 498.3 feet, north 59 degrees 3 minutes 20 seconds east 294.4 feet, on a curve of 381.6 feet radius to the right, 454 feet, on a curve of 367 feet radius to the left, 475.3 feet, north 53 degrees 1 minute east 466.7 feet, on a curve of 5,567 feet radius to the left, 395 feet, north 48 degrees 56 minutes 40 seconds east 840.7 feet, on a curve of 967 feet radius to the left, 268.3 feet, north 33 degrees 2 minutes 50 seconds east 836.4 feet, on a curve of 767 feet radius to the left, 183.6 feet, north 19 degrees 20 minutes east 527 feet, on a curve of 533 feet radius to the right, 697.2 feet and south 85 degrees 43 minutes 20 seconds east 246.6 feet; thence along the proposed exterior reservoir taking line, the following courses, distances and curves: South 85 degrees 43 minutes 20 seconds east 736.4 feet, on a curve of 767 feet radius to the left, 303.4 feet; north 71 degrees 37 minutes east 538.3 feet, on a curve of 433 feet radius to the right, 366.6 feet, south 59 degrees 52 minutes east 399 feet, on a curve of 217 feet radius to the left, 291.5 feet, north 43 degrees 9 minutes east 352.7 feet, on a curve of 2,733 feet radius to the right, 1,007.5 feet, on a curve of 440.3 feet radius to the right, 545.6 feet, south 44 degrees 43 minutes 40 seconds east 341.4 feet, on a curve of 467 feet radius to the left, 399 feet, north 86 degrees 19 minutes 30 seconds east 1,572.7 feet, north 71 degrees 47 minutes east 473 feet and on a curve of 450 feet radius to the right, 447.7 feet; thence in part along the proposed exterior reservoir taking line, south 51 degrees 12 minutes east 810.3 feet;

thence the following curves, courses and distances: On a curve of 350 feet radius to the right, 242.2 feet, south 11 degrees 35 minutes east 101.9 feet, on a curve of 250 feet radius to the left, 186.4 feet, on a curve of 410.3 feet radius to the right, 245.9 feet, south 19 degrees 58 minutes east 193.6 feet, on a curve of 617 feet radius to the left, 555.9 feet, south 71 degrees 35 minutes 10 seconds east 722.5 feet, on a curve of 314 feet radius to the left, 401.3 feet, north 35 degrees 11 minutes east 401.1 feet and on a curve of 283 feet radius to the right, 503.5 feet to and partly along the proposed exterior reservoir taking line; thence continuing along said line, south 42 degrees 53 minutes east 152.1 feet, on a curve of 643 feet radius to the left, 407.4 feet and south 79 degrees 11 minutes east 1,572.8 feet; thence on a curve of 1,033 feet radius to the right, 520.8 feet, south 50 degrees 17 minutes 40 seconds east 1,161.4 feet and on a curve of 103 feet radius to the right, 85 feet to the northerly boundary of the proposed relocation of the Ulster and Delaware Railroad; thence along said northerly line, on a curve of 2,824.9 feet radius to the right, 70 feet; thence parallel to and 66 feet from the above-described line, for its whole length, to a point in the line between the Towns of Olive and Hurley; thence along said town line, north 25 degrees 34 minutes west 61.4 feet to the point or place of beginning; length, 5.10 miles.

Also the right of crossing over the relocation of the Ulster and Delaware Railroad from the end of Parcel No. 4 of the substituted new highway to the beginning of Parcel No. 5.

#### 5. Substituted New Highway, Town of Hurley.

Beginning at a point in the southerly boundary line of the proposed relocation of the Ulster and Delaware Railroad, at the end of a course, south 10 degrees 22 minutes west 80 feet from length 70 feet on a curve having a radius of 2,824.9 feet in the description of Parcel No. 4 of the Substituted New Highway, as previously described, and running thence along said southerly boundary line (1) on a curve of 2,904.9 feet radius to the left, 334 feet; (2) thence south 88 degrees 45 minutes east 32.2 feet; (3) thence south 1 degree 15 minutes west 27.2 feet to the centre of the Substituted New Highway; thence continuing on the same course, south 1 degree 15 minutes west 33 feet; thence north 88 degrees 45 minutes west 310 feet; thence on a curve of 83 feet radius to the right, 133 feet to a point in the before-mentioned southerly boundary line of the proposed relocation of the Ulster and Delaware Railroad; thence on a curve of 2,904.9 feet radius to the left, 33 feet to the point or place of beginning; length .08 mile.

#### 6. Substituted New Highway, Town of Hurley.

Beginning at the end of Course No. 3 in the description of Parcel No. 5 of the Substituted New Highway, and running thence south 88 degrees 44 minutes 44 seconds east 920 feet, being a right of highway over a portion of the Woodstock Dike along the above described line; length .17 mile.

#### 7. Substituted New Highway, Town of Hurley.

Beginning at the easterly end of Parcel No. 6 of the Substituted New Highway, and running thence north 1 degree 15 minutes east 17.5 feet to a point in the southerly boundary line of the proposed relocation of the Ulster and Delaware Railroad; thence along said southerly boundary line, south 88 degrees 44 minutes 44 seconds east 598.7 feet; south 44 degrees 10 minutes east 111.8 feet; and south 88 degrees 45 minutes east 110 feet; thence south 20 degrees 58 minutes 10 seconds east 381.1 feet to a point in the line between the Towns of Hurley and Woodstock; thence along said town line, south 9 degrees 7 minutes east 321.4 feet; thence north 20 degrees 58 minutes east 321.4 feet west 416.5 feet; thence on a curve of 467 feet radius to the left, 552.4 feet; thence north 88 degrees 45 minutes west 425 feet; thence north 1 degree 15 minutes east 33 feet to the point or place of beginning; length .24 mile.

#### 8. Substituted New Highway, Town of Woodstock.

Beginning at a point in the line between the Towns of Hurley and Woodstock, described in Parcel No. 7 of the description of the Substituted New Highway, and running thence south 20 degrees 58 minutes 10 seconds east 281.8 feet to a point in the line between the Towns of Woodstock and Kingston; thence along said line, north 65 degrees 5 minutes west 69.8 feet to a point in the line between the Towns of Hurley and Woodstock; thence along said town line north 9 degrees 7 minutes west 236.5 feet to the point or place of beginning; length .02 mile.

#### 9. Substituted New Highway, Town of Kingston.

Beginning at a point in the line between the Towns of Woodstock and Kingston, and running thence south 20 degrees 58 minutes 10 seconds east 594.3 feet; thence on a curve of 533 feet radius to the right, 325 feet; thence south 14 degrees 10 seconds west 442.5 feet to a point in the line between the Towns of Kingston and Hurley; thence along said town line, north 6 degrees 52 minutes west 185.3 feet; thence north 14 degrees 10 seconds east 269.4 feet; thence on a curve of 467 feet radius to the left, 284.7 feet; thence north 20 degrees 58 minutes 10 seconds west 561.6 feet to a point in the line between the Towns of Kingston and Hurley; thence along said line, north 6 degrees 52 minutes west 84.9 feet to a point in the line between the Towns of Woodstock and Kingston; thence along said town line, south 65 degrees 5 minutes east 69.8 feet to the point or place of beginning; length .25 mile.

#### 10. Substituted New Highway, Town of Hurley.

Beginning at a point in the line between the Towns of Kingston and Hurley, and running thence south 14 degrees 10 seconds west 1,788 feet to and partly along the proposed exterior reservoir taking line; thence continuing along said line the following courses, distances and curves: South 22 degrees 12 minutes west 669.1 feet, south 42 degrees 8 minutes west 181.5 feet, on a curve of 338.2 feet radius to the left, 154.2 feet, south 15 degrees 54 minutes west 437.2 feet, on a curve of 467 feet radius to the left, 184.7 feet, and south 6 degrees 46 minutes east 170 feet, crossing the Ulster and Delaware Railroad, to a point in the Ulster and Delaware Plank road; thence south 83 degrees 14 minutes west 66 feet; thence parallel to and 66 feet from the above described line, for its whole length, to the before mentioned line between the Towns of Kingston and Hurley; thence along said town line, south 6 degrees 52 minutes east 185.3 feet to the point or place of beginning; length .70 mile.

#### 11. Substituted New Highway, Town of Hurley.

Beginning at a point 33 feet from the centre line of the Ulster and Delaware Plank road on the line between Tappert Brothers and Mulligan, about 400 feet southeasterly from where the Ulster and Delaware Railroad crosses the Ulster and Delaware Plank road, in the village of West Hurley, and running thence along the proposed exterior reservoir taking line, the following courses, distances and curves: North 56 degrees west 211.4 feet, on a curve of 467 feet radius to the left, 732.9 feet, south 34 degrees 5 minutes west 792.5 feet, south 45 degrees 21 minutes west 101.8 feet and on a curve of 671.6 feet radius to the left, 381.2 feet to the easterly side of the Steenekill road; thence along the easterly side of

said road, the following courses and distances: South 13 degrees 50 minutes west 136.8 feet, south 27 degrees 5 minutes west 317.3 feet, south 21 degrees 10 minutes west 466.7 feet and south 40 degrees 2 minutes west 54.9 feet; thence to and along the proposed exterior reservoir taking line, south 59 degrees 35 minutes 30 seconds west 1,675.8 feet; thence continuing along said proposed exterior reservoir taking line, the following courses, courses and distances: On a curve of 533 feet radius to the right, 628.6 feet, north 52 degrees 50 minutes west 424.1 feet, on a curve of 267 feet radius to the left, 326 feet, south 57 degrees 12 minutes west 229.2 feet, on a curve of 433 feet radius to the right, 200.8 feet, south 83 degrees 46 minutes west 1,000.2 feet, on a curve of 461.8 feet radius to the left, 351.7 feet, south 70 degrees 55 minutes west 200.8 feet, on a curve of 250 feet radius to the right, 406.3 feet, north 15 degrees 58 minutes west 115.9 feet, on a curve of 550 feet radius to the right, 207.1 feet, north 5 degrees 37 minutes east 266.2 feet, on a curve of 242.3 feet radius to the left, 303.7 feet, north 66 degrees 13 minutes west 355.8 feet, on a curve of 467 feet radius to the left, 260.6 feet, south 81 degrees 49 minutes west 586.9 feet, north 86 degrees 51 minutes west 1,226.5 feet, on a curve of 520.3 feet radius to the right, 588.5 feet, north 22 degrees 3 minutes west 312.8 feet, on a curve of 435.2 feet radius to the left, 154.5 feet, on a curve of 250 feet radius to the left, 522.6 feet, south 17 degrees 51 minutes west 1,036.5 feet, on a curve of 518.2 feet radius to the right, 411.5 feet, south 63 degrees 20 minutes west 274.2 feet, north 78 degrees 30 minutes west 116.9 feet and on a curve of 75 feet radius to the left, 96.2 feet; thence continuing along the exterior reservoir taking line on the lines of sections Nos. 6 and 3, the following courses, distances and curves: South 27 degrees 58 minutes west 457.4 feet, on a curve of 2,550 feet radius to the right, 525.7 feet, south 39 degrees 46 minutes west 236.6 feet, on a curve of 461.9 feet radius to the left, 152.5 feet, on a curve of 450 feet radius to the right, 396.8 feet, south 71 degrees 17 minutes west 354.3 feet, south 62 degrees 43 minutes west 474.8 feet, on a curve of 350 feet radius to the right, 412.1 feet, north 49 degrees 49 minutes west 112.3 feet, on a curve of 950 feet radius to the left, 386.2 feet, north 73 degrees 7 minutes west 149.7 feet, north 75 degrees 51 minutes west 198 feet, on a curve of 450 feet radius to the left, 240.3 feet, south 73 degrees 33 minutes west 128.5 feet, on a curve of 450 feet radius to the left, 329.4 feet, south 31 degrees 36 minutes west 458.2 feet, south 42 degrees 14 minutes west 325.5 feet, south 69 degrees 5 minutes west 362.2 feet, north 83 degrees 17 minutes west 154.4 feet, on a curve of 450 feet radius to the left, 264.2 feet, south 63 degrees 4 minutes 30 seconds west 414 feet; south 72 degrees west 685.1 feet, on a curve of 767 feet radius to the left, 268.7 feet, south 51 degrees 55 minutes west 773.5 feet, on a curve of 967 feet radius to the left, 301.4 feet, south 34 degrees 2 minutes west 921 feet, south 34 degrees 12 minutes west 568.6 feet, south 34 degrees 5 minutes west 210 feet, on a curve of 567 feet radius to the left, 211.1 feet, south 12 degrees 44 minutes west 782.6 feet, on a curve of 367 feet radius to the left, 290.8 feet, south 32 degrees 39 minutes east 107.5 feet, on a curve of 333 feet radius to the right, 245.4 feet, south 9 degrees 35 minutes west 438.8 feet, on a curve of 967 feet radius to the left, 451.3 feet, south 17 degrees 10 minutes east 259.8 feet to a point in the line between the towns of Hurley and Marbletown; thence along the said town line, north 52 degrees 51 minutes west 113.1 feet to a point 66 feet from the above described line; thence parallel to and 66 feet from the above described line, for its whole length, until opposite the place of beginning; thence south 34 degrees west 66 feet to the said point or place of beginning; length, 5.48 miles.

#### 12. Substituted New Highway, Town of Marbletown.

Beginning at a point in the line between the Towns of Hurley and Marbletown, which said point is described in Parcel No. 11 of the substituted new highway and is in the exterior reservoir taking line of Section No. 3, and running thence along said taking line, the following courses, distances and curves: (1) south 17 degrees 10 minutes east 33.6 feet, (2) on a curve of 433 feet radius to the right, 101.1 feet, (3) south 3 degrees 47 minutes east 958.4 feet, (4) on a curve of 367 feet radius to the left, 118.2 feet, (5) south 22 degrees 13 minutes east 225.1 feet and continuing partly along the said exterior reservoir taking line, south 36 degrees .09 minutes west 427.7 feet; (7) thence on a curve of 467 feet radius to the left, 194.5 feet, (8) south 12 degrees 17 minutes west 611.8 feet, and (9) north 77 degrees 43 minutes west 66 feet; thence parallel to and 66 feet from the above described line to the end of course No. 6; thence north 36 degrees .09 minutes east 269.7 feet; thence on a curve of 217 feet radius to the left, 221.1 feet; thence north 22 degrees 13 minutes west 71.3 feet until opposite the end of course No. 4; thence parallel to and 66 feet from courses Nos. 4 to 1, inclusive, to a point in the line between the Towns of Hurley and Marbletown; thence along said town line, south 52 degrees 51 minutes east 113.1 feet to the point or place of beginning; length, 0.50 mile.

#### 13. Substituted New Highway, Town of Marbletown.

Beginning at a point 16.5 feet from the centre of the Marbletown road, where the exterior reservoir taking line of Section No. 3 intersects the same, and running thence along said exterior line, the following courses, distances and curves: (1) south 12 degrees 10 minutes west 895.6 feet, (2) on a curve of 272.3 feet radius to the left, 166.1 feet, (3) on a curve of 264.1 feet radius to the right, 208.2 feet, (4) on a curve of 305.5 feet radius to the left, 209 feet, (5) on a curve of 334.6 feet radius to the right, 259.1 feet, (6) south 27 degrees 45 minutes 20 seconds west 807.6 feet, (7) on a curve of 719.8 feet radius to the left, 218.1 feet, (8) on a curve of 1,173.4 feet radius to the right, 235.9 feet, (9) south 21 degrees 54 minutes west 413.7 feet, (10) on a curve of 928.1 feet radius to the right, 225.1 feet, and (11) south 35 degrees 49 minutes west 741.2 feet; (12) thence north 54 degrees 11 minutes west 66 feet; thence parallel to and 66 feet from the above described line until opposite the end of the first course; thence north 12 degrees 20 minutes east 819.1 feet to a point in the northerly line of the Marbletown road; thence north 34 degrees .03 minutes east 95.6 feet until opposite the place of beginning; thence south 55 degrees 57 minutes east 33 feet to the said point or place of beginning; length, 0.83 mile.

#### 14. Substituted New Highway, Town of Hurley.

A strip of land 33 feet in width on each side of the following-described centre line: Beginning at the end of the sixth course of Parcel No. 11, heretofore described, and running thence north 9 degrees 23 minutes west 658.3 feet to a point on the West Hurley Dike; from thence a right of highway on the West Hurley Dike along the following-described centre line: On a curve of 300 feet radius to the right, 183.9 feet, north 25 degrees 45 minutes 50 seconds east 1,022.9 feet, north 4 degrees 32 minutes 10 seconds east 994.8 feet and on a curve of 650 feet radius to the right, 660 feet; from thence a strip of land 33 feet in width on each side of the following-de-

scribed centre line: On a curve of 650 feet radius to the right, 151.3 feet, south 66 degrees 57 minutes east 108.7 feet, on a curve of 300 feet radius to the left, 329.4 feet, north 50 degrees 8 minutes 20 seconds east 1,090 feet and on a curve of 150 feet radius to the left, 94.5 feet to a point in the centre line of Parcel No. 10 of the substituted new highway; length 1 mile.

#### 15. Substituted New Highway, Town of Marbletown.

A strip of land 33 feet in width on each side of the following-described centre line: Beginning at a point north 35 degrees 49 minutes east 325 feet from the middle of course 12 Parcel No. 13, of the substituted new highway, as heretofore described, and running thence the following courses, distances and curves: North 84 degrees 4 minutes west 725.1 feet, on a curve of 200 feet radius to the left, 204 feet, south 37 degrees 30 minutes west 261.7 feet, on a curve of 68.8 feet radius to the right, 192.6 feet, north 17 degrees 59 minutes east 241.5 feet, north 49 minutes east 284.6 feet, north 23 degrees 27 minutes west 337.5 feet, north 5 degrees 36 minutes east 531.4 feet, north 10 degrees 4 minutes east 595.2 feet, north 23 degrees 33 minutes east 290.7 feet, on a curve of 100 feet radius to the left, 118.3 feet, north 44 degrees 16 minutes west 113.6 feet, on a curve of 100 feet radius to the right, 73.5 feet, north 2 degrees 10 minutes west 270 feet and north 26 degrees 3 minutes east 651.2 feet to a point in Parcel No. 17, hereinafter described; length 0.93 mile.

#### 16. Substituted New Highway, Town of Olive.

A right of highway over the middle dike beginning at the junction of the dividing weir, west and middle dikes, and running from thence the following courses, distances and curves: North 38 degrees 24 minutes 37 seconds east 178.2 feet, on a curve of 410.3 feet radius to the right, 369.4 feet, north 90 degrees east 1,134.4 feet, on a curve of 573.7 feet radius to the right, 198.2 feet, south 70 degrees 12 minutes 3 seconds east 2,397.5 feet, on a curve of 573.7 feet radius to the left, 198.2 feet, north 90 degrees east 2,504 feet and on a curve of 200 feet radius to the right, 102 feet to the line between the Towns of Olive and Marbletown; length 1.34 miles.

#### 17. Substituted New Highway, Town of Marbletown.

A strip of land 33 feet in width on each side of the following-described centre line: Beginning at a point in the line between the Towns of Olive and Marbletown, as described in Parcel No. 16 of the substituted new highway, and running from thence the following courses, distances and curves: On a curve of 200 feet radius to the right, 169.7 feet, south 12 degrees 10 minutes east 432.4 feet, on a curve of 2,000 feet radius to the left, 193.2 feet, south 18 degrees 42 minutes east 698.5 feet, on a curve of 500 feet radius to the left, 334.2 feet, south 57 degrees east 245.9 feet, on a curve of 1,000 feet radius to the right, 186.8 feet, south 46 degrees 18 minutes east 495.7 feet, on a curve of 500 feet radius to the left, 407.6 feet and north 87 degrees east 444.2 feet; thence on a curve of 1,000 feet radius to the left, 338.6 feet, a strip of land running in width from 33 feet on each side at the beginning to 20 feet on the north side and 46 feet on the south side at the end of said curve, to a point 13 feet northerly from the centre line of the proposed highway; thence continuing, a strip of land 20 feet in width on the north and 46 feet on the south of the following-described line: North 67 degrees 36 minutes east 185.9 feet, on a curve of 383.3 feet radius to the right, 227.7 feet, on a curve of 120 feet radius to the left, 144.8 feet and north 32 degrees 30 minutes east 379.8 feet; thence on a curve of 500 feet radius to the left, 176.4 feet, a strip of land running in width from 20 feet on the north side and 46 feet on the south side at the beginning to 33 feet on each side at the end of said curve; thence continuing, a strip of land 33 feet in width on each side of the following-described centre line: North 12 degrees 17 minutes east 240.2 feet to a point in the middle of course 9 of Parcel No. 12 of substituted new highway; length 1 mile.

#### 18. Substituted New Highway, Town of Olive.

A strip of land 33 feet in width on each side of the following described centre line: Beginning at a point in the centre of Parcel No. 4, of the substituted new highway, opposite the end of course No. 1, and running from thence the following courses, distances and curves: (1) North 44 degrees 35 minutes 40 seconds east 3,016.4 feet, (2) on a curve of 500 feet radius to the right, 331.9 feet, (3) north 82 degrees 37 minutes 30 seconds east 1,092.9 feet, (4) on a curve of 1,000 feet radius to the right, 121.1 feet, (5) north 89 degrees 34 minutes east 442 feet, (6) on a curve of 359.3 feet radius to the right, 400.9 feet, (7) south 26 degrees 30 minutes east 802.9 feet, (8) on a curve of 287.9 feet radius to the left, 434.2 feet, north 66 degrees 40 minutes east 279.4 feet, on a curve of 200 feet radius to the right, 118.7 feet, south 79 degrees 17 minutes east 205.7 feet, on a curve of 300 feet radius to the left, 85.8 feet, north 84 degrees 22 minutes east 258.8 feet, on a curve of 113.3 feet radius to the right, 87.3 feet, south 51 degrees 23 minutes east 154.4 feet, on a curve of 300 feet radius to the left, 87.4 feet, south 68 degrees 8 minutes east 80.5 feet and on a curve of 150 feet radius to the left, 45.1 feet to a point in the Tongore road about 850 feet northerly from the Tongore M. E. Church; length, 1.52 miles.

#### 19. Substituted New Highway, Town of Olive.

A right of highway over the Olive Bridge dam, beginning at a point north 66 degrees 40 minutes east 10 feet from the end of course No. 8, in Parcel No. 18 of the substituted new highway, and running thence north 29 degrees 11 minutes 23 seconds east 4,787.6 feet; from thence a strip of land 33 feet in width on each side of the following described centre line: on a curve of 350 feet radius to the left, 178.2 feet, on a curve of 380 feet radius to the right, 851.6 feet and on a curve of 173.7 feet radius to the left, 272.8 feet to the southerly end of the West dike; from thence a right of highway over the West dike along the following described centre line, north 38 degrees 24 minutes 37 seconds east 1,727.8 feet to the junction of the west, middle and dividing weir dikes; length, 1.48 miles.

#### 20. Substituted New Highway, Town of Olive.

A strip of land 33 feet in width on each side of the following described centre line: Beginning at the end of the last course of Parcel No. 18 of the substituted new highway, and running from thence the following courses, distances and curves: (1) on a curve of 150 feet radius to the left, 94.6 feet, (2) north 58 degrees 30 minutes east 107.3 feet, (3) on a curve of 200 feet radius to the right, 86.8 feet, (4) north 83 degrees 18 minutes east 452.7 feet, (5) on a curve of 100 feet radius to the left, 207.8 feet, (6) north 35 degrees 47 minutes west 495.2 feet, (7) on a curve of 250 feet radius to the right, 579.5 feet, (8) south 82 degrees 53 minutes east 322.9 feet, (9) south 67 degrees 41 minutes east 203.2 feet, (10) south 82 degrees 8 minutes east 171.8 feet, (11) north 74 degrees 45 minutes east 193.4 feet, (12) on a curve of 200 feet radius to the right, 160 feet, (13) south 59 degrees 25 minutes east 481.8 feet, (14) south 76 degrees 23 minutes east 245.3 feet, (15) on a

curve of 200 feet radius to the left, 256.2 feet, (16) north 30 degrees 13 minutes east 327.6 feet, (17) on a curve of 100 feet radius to the right, 102.7 feet, (18) north 89 degrees 2 minutes east 216.7 feet, (19) on a curve of 200 feet radius to the left, 316.4 feet, (20) north 1 degree 35 minutes west 164.8 feet, (21) on a curve of 500 feet radius to the left, 230.7 feet, (22) north 28 degrees 1 minute west 67 feet, (23) on a curve of 108.3 feet radius to the left, 104.2 feet, (24) on a curve of 125 feet radius to the right, 185.5 feet, (25) north 1 degree 54 minutes east 118.6 feet, (26) on a curve of 298.4 feet radius to the right, 140.4 feet, (27) on a curve of 250 feet radius to the left, 144.8 feet, (28) north 4 degrees 20 minutes west 964.9 feet, (29) on a curve of 300 feet radius to the right, 307.7 feet, (30) north 54 degrees 26 minutes east 1,005.7 feet, (31) north 36 degrees 58 minutes east 383.8 feet, (32) north 29 degrees 4 minutes east 240.2 feet, (33) north 32 degrees 10 minutes east 498.3 feet, south 65 degrees 39 minutes east 245.4 feet, south 47 degrees 48 minutes east 114.1 feet, north 35 degrees 47 minutes 50 seconds east 840.5 feet, on a curve of 66.6 feet radius to the right, 79 feet, south 76 degrees 14 minutes 40 seconds east 1,671 feet, south 53 degrees 52 minutes east 921.5 feet, north 88 degrees 28 minutes east 261.1 feet, south 74 degrees east 725.5 feet, on a curve of 300 feet radius to the right, 114.7 feet, south 52 degrees 5 minutes east 301.9 feet and on a curve of 300 feet radius to the left, 231.1 feet to a point in the line between the towns of Olive and Marbletown; length, 2.86 miles.

#### 21. Substituted New Highway, Town of Marbletown.

A strip of land 33 feet in width on each side of the following described centre line: Beginning at a point on the line between the Towns of Olive and Marbletown, as described in Parcel No. 20 of the Substituted New Highway, and running from thence the following courses, distances and curves: North 83 degrees 46 minutes east 124.9 feet, on a curve of 300 feet radius to the right, 246.2 feet, south 49 degrees 12 minutes east 275 feet, south 72 degrees 30 minutes east 385.9 feet, south 83 degrees 18 minutes east 141.5 feet, and on a curve of 150 feet radius to the right, 68.8 feet to a point in Parcel No. 17 of the Substituted New Highway previously described; length 2.4 mile.

#### 22. Substituted New Highway, Town of Olive.

A right of highway over the Dividing Weir Dike beginning at the junction of the West, Middle and Dividing Weir Dikes, and running from thence the following courses, distances and curves: North 34 degrees 53 minutes 10 seconds west 535.5 feet, on a curve of 410.3 feet radius to the right, 249.8 feet and due north 1,401.1 feet; from thence a strip of land 33 feet in width on each side of the following described centre line: Due north 182 feet, on a curve of 500 feet radius to the right, 334.3 feet, north 38 degrees 19 minutes east 178.9 feet, on a curve of 500 feet radius to the left, 373.2 feet, north 4 degrees 27 minutes west 413.5 feet, on a curve of 600 feet radius to the right, 149.1 feet, north 9 degrees 47 minutes east 1,190.5 feet, on a curve of 700 feet radius to the left, 480.5 feet, north 29 degrees 33 minutes west 462.3 feet, on a curve of 600 feet radius to the left, 320.4 feet, north 60 degrees 9 minutes west 112.6 feet, on a curve of 800 feet radius to the right, 289.7 feet, north 39 degrees 24 minutes west 77.5 feet, on a curve of 500 feet to the right, 424.6 feet, north 9 degrees 15 minutes east 344.2 feet, on a curve of 800 feet radius to the left, 394.2 feet, and north 18 degrees 59 minutes west 381.7 feet to a point in the public highway leading to the State road; length 1.57 miles.

#### 23. Substituted New Highway, Town of Olive.

A strip of land 66 feet in width from the end of course 33 in Parcel No. 20 of the Substituted New Highway, in a northerly direction to the Middle Dike, and a right of highway skirting the dike to the highway on the top of the same, described in Parcel No. 16 of the Substituted New Highway; length .41 mile.

In compliance with the requirements of section 35, chapter 724 of the Laws of 1905, as amended, The City of New York will construct highways and bridges on the above described substituted real estate. Said highways and bridges shall be equal in every respect to those constructed by the State of New York in Ulster County.

Dated December 21, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post-office Address, Hall of Records, corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

J2,113

#### THIRD JUDICIAL DISTRICT, ULSTER COUNTY.

##### ASHOKAN RESERVOIR.

##### SECTION No. 10, TOWN OF OLIVE.

#### NOTICE OF APPLICATION FOR THE APPOINTMENT OF COMMISSIONERS OF APPRAISAL.

PUBLIC NOTICE IS HEREBY GIVEN that it is the intention of the Corporation Counsel of The City of New York to make application to the Supreme Court of the State of New York for the appointment of Commissioners of Appraisal, under chapter 724 of the Laws of 1905, as amended, and the acts relating thereto. Such application will be made to the Supreme Court at a Special Term thereof, to be held in and for the Third Judicial District at the City Hall, in the City of Albany, County of Albany, N. Y., on

SATURDAY, FEBRUARY 13, 1909,

at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard. The object of such application is to obtain an order of the Court appointing three disinterested and competent freeholders, one of whom shall reside in the County of New York, and at least one of whom shall reside in the County of Ulster, to act as Commissioners of Appraisal under said act, and discharge all the duties conferred by said act and the acts amendatory thereof.

The following is a description of the real estate to be acquired, together with a reference to the date and place of filing the map:

All those certain pieces or parcels of real estate situated in the Town of Olive, County of Ulster and State of New York, shown on a map entitled "Reservoir Department, Section No. 10, Board of Water Supply of The City of New York. Map of real estate situated in the Town of Olive, County of Ulster and State of New York, to be acquired by The City of New York under the provisions of chapter 724 of the Laws of 1905, as amended, for the construction of Ashokan Reservoir and appurtenances, in the vicinity of West Shokan and Boiceville, west of railroad," which map was filed in the office of the County Clerk of the County of Ulster, at Kingston, N. Y., on the 8th day of November, 1907, which parcels are bounded and described as follows:

Beginning at the most southerly point of Parcel No. 440, in the centre of a road leading from

Davis Corners to West Shokan, in the westerly line of Parcel No. 438, and running thence partly along the westerly line of said Parcel No. 440, north 41 degrees 2 minutes west 189.8 feet and on a curve of 767 feet radius to the left, 35.2 feet to the southeast corner of Parcel No. 441; thence along the southerly line of said parcel, on a curve of 767 feet radius to the left, 213.7 feet, north 59 degrees 38 minutes west 191.5 feet and on a curve of 833 feet radius to the right, 308.4 feet, crossing a road leading to West Shokan, to the southwest corner of Parcel No. 442; thence partly along the westerly line of said parcel, along the westerly lines of Parcels Nos. 443 and 444, and partly along the westerly line of Parcel No. 445, the following courses, courses and distances: On a curve of 833 feet radius to the right, 41.9 feet, north 35 degrees 33 minutes 20 seconds west 617.3 feet, on a curve of 833 feet radius to the right, 450.1 feet, and north 4 degrees 36 minutes west 1,092 feet, crossing a road leading from West Shokan to Peekamoose Lodge to a point in the northerly line thereof; thence along the westerly line of Parcel No. 445, south 81 degrees 23 minutes 30 seconds west 652.1 feet to the most westerly point of said parcel, in the southerly line of Parcel No. 446; thence partly along said line, south 60 degrees 36 minutes west 527 feet, recrossing said road, to the southwest corner of said parcel; thence along the westerly lines of said parcel and Parcel No. 447, north 9 degrees 3 minutes 40 seconds west 400 feet, again crossing said road and crossing Bush Kill, to the northwest corner of said Parcel No. 447; thence along the northerly line of said parcel, north 47 degrees 4 minutes 40 seconds east 842.2 feet to the most westerly point of Parcel No. 448; thence partly along the westerly line of said parcel, north 47 degrees 4 minutes 40 seconds east 640.7 feet and north 4 degrees 6 minutes 10 seconds west 1,213.2 feet to a point in the westerly line of a road leading to West Shokan and Boiceville; thence along said road line, and continuing along the westerly line of said parcel, north 9 degrees 44 minutes 20 seconds west 1,158.7 feet; thence continuing along the westerly line of said parcel, and running along the westerly lines of Parcels Nos. 469, 471, 472 and 474, the following courses, distances and curves: North 39 degrees 39 minutes 20 seconds east 700.8 feet, north 20 degrees 5 minutes 10 seconds east 629.7 feet, on a curve of 833 feet radius to the right, 250.3 feet, north 37 degrees 18 minutes 10 seconds east 511.3 feet, on a curve of 267 feet radius to the left, 294.8 feet, north 25 degrees 57 minutes 50 seconds west 763.1 feet, on a curve of 533 feet radius to the right, 571.9 feet, north 35 degrees 30 minutes 30 seconds east 100.1 feet, on a curve of 467 feet radius to the left, 477 feet, north 23 degrees 1 minute west 579.1 feet, on a curve of 250 feet radius to the left, 165.2 feet, and north 60 degrees 52 minutes west 158.6 feet to a point in the southerly line of Parcel No. 477; thence partly along said line, north 60 degrees 52 minutes west 316.3 feet to the southwest corner of said parcel; thence along the westerly lines of said parcel and Parcel No. 478, partly along the westerly line of Parcel No. 479, and along the westerly lines of Parcels Nos. 482 and 483, the following courses, distances and curves: North 19 degrees 32 minutes 50 seconds west 673.6 feet, crossing Chestnut Bushkill, on a curve of 200 feet radius to the right, 157.2 feet, north 25 degrees 30 minutes east 177.5 feet, on a curve of 450 feet radius to the left, 206.9 feet, north 50 minutes 20 seconds west 1,086.7 feet, crossing a road leading from Traver Hollow to West Shokan, on a curve of 1,033 feet radius to the right, 986.8 feet, north 53 degrees 53 minutes 30 seconds east 400.4 feet, on a curve of 567 feet radius to the left, 410.2 feet, north 12 degrees 26 minutes 10 seconds east 152.9 feet, north 81 degrees 32 minutes 10 seconds east 128.3 feet, on a curve of 138.2 feet radius to the left, 136.3 feet, north 25 degrees 21 minutes east 295 feet and on a curve of 420.5 feet radius to the right, 214.1 feet to the most westerly point of Parcel No. 487; thence along the northerly line of said parcel partly along the northerly line of Parcel No. 485, and along the northerly line of Parcel No. 486, on a curve of 420.5 feet radius to the right, 261.1 feet, and south 89 degrees 53 minutes east 434.3 feet, crossing a road leading from West Shokan to Phoenicia, to the northeast corner of said Parcel No. 486, in the westerly property line of the Ulster and Delaware Railroad Company; thence along said railroad property line and the easterly lines of said parcel and Parcels Nos. 483, 480 and 479, south 4 degrees 6 minutes west 3,856.4 feet, crossing Esopus Creek and a road leading to Phoenicia, to the northeast corner of Parcel No. 475, in the centre of said Esopus Creek; thence partly along the easterly line of said parcel, along the easterly line of Parcel No. 489, partly along the easterly line of Parcel No. 473, along the easterly lines of Parcels Nos. 472 and 471, partly along the easterly line of Parcel No. 469, along the easterly line of Parcel No. 470, and continuing along said railroad property line, south 4 degrees 6 minutes west 1,351.3 feet, recrossing the before mentioned road leading to West Shokan, and Chestnut Bushkill, on a curve of 2,325 feet radius to the left, 1,133 feet, and south 23 degrees 49 minutes 15 seconds east 3,034.6 feet to the northeast corner of Parcel No. 468, in a road leading from Boiceville to West Shokan; thence along said road, the easterly line of said parcel, and continuing along said westerly railroad property line, south 23 degrees 49 minutes 15 seconds east 382.1 feet to the northeast corner of Parcel No. 463; thence along the easterly lines of said parcel and Parcels Nos. 467 and 466, and continuing along said railroad property line, south 23 degrees 49 minutes 15 seconds east 1,656.8 feet to the southeast corner of said Parcel No. 466, in the centre of before mentioned Bushkill; thence along the centre line of said kill, partly along the southerly line of said parcel, and continuing along said railroad property line, north 84 degrees 35 minutes west 114.5 feet to the northeast corner of Parcel No. 459; thence partly along the easterly line of said parcel, along the easterly lines of Parcels Nos. 465 and 458, partly along the westerly line of a road leading to West Shokan and same produced, and continuing along said westerly railroad property line, south 23 degrees 49 minutes 15 seconds east 2,038.2 feet, crossing a road leading to Shokan and a brook, to the southeast corner of said Parcel No. 458; thence partly along the southerly line of said parcel the following courses and distances: South 50 degrees 56 minutes west 311.7 feet, south 50 degrees 38 minutes west 529.2 feet, south 52 degrees 27 minutes west 20.1 feet, north 49 degrees 23 minutes west 166.3 feet, north 49 degrees 20 minutes west 180 feet and south 43 degrees 30 minutes west 143.9 feet to a point in the centre of a road leading from Peekamoose Lodge to a point of a road leading to the centre line of said road; thence continuing along the southerly line of Parcel No. 458 north 46 degrees 33 minutes east 122.7 feet and north 50 degrees 19 minutes west 102.3 feet to a point in the easterly line of Parcel No. 453; thence partly along said line south 46 degrees 33 minutes west 120.9 feet to another point in the centre of the road leading from Peekamoose Lodge to Brodhead; thence along the centre line of said road south 49 degrees 20 minutes east 53.5 feet to the point of intersection of said centre line with the easterly line produced of the before mentioned road leading from Davis Corners to West Shokan; thence partly along said easterly road line and the production thereof, continuing along said easterly line of Parcel No. 453, and

running along the easterly line of Parcel No. 453C, south 8 degrees 30 minutes west 127.3 feet, south 5 degrees 17 minutes west 187.8 feet and south 3 degrees 24 minutes west 153.4 feet to the southeast corner of said Parcel No. 453C, in a brook; thence partly along the southerly line of said parcel, north 53 degrees 42 minutes west 54.2 feet to the northeast corner of Parcel No. 454, in the before mentioned easterly line of the road leading from Davis Corners to West Shokan; thence along said road line and the easterly line of said parcel south 44 degrees 25 minutes west 230.9 feet to the most southerly point of said parcel; thence along the westerly line of same, north 33 degrees 42 minutes west 162.8 feet, crossing said road, to the northwest corner of said parcel, in the southerly line of before mentioned Parcel No. 453; thence partly along said line, south 74 degrees 18 minutes west 375 feet to a point in the easterly line of before mentioned Parcel No. 438; thence partly along said line, along the easterly line of Parcel No. 439, and partly along the centre line of said road leading from Davis Corners to West Shokan, south 4 degrees 24 minutes east 510.3 feet, crossing a brook, to the southeast corner of said Parcel No. 439; thence partly along the southerly line of said parcel and continuing along the centre line of said road, south 76 degrees 26 minutes west 167.1 feet to another point in the easterly line of Parcel No. 438; thence partly along said line, south 20 degrees 06 minutes east 1,891.7 feet to the southeast corner of said parcel; thence along the southerly line of same, south 83 degrees 19 minutes west 572.8 feet and south 86 degrees 44 minutes west 371.7 feet to the southwest corner of said parcel; thence partly along the westerly line of same, north 41 degrees 02 minutes west 1,121.2 feet to the point or place of beginning.

The fee to be acquired by The City of New York in all the real estate, Parcels Nos. 438 to 489, inclusive, and Parcels Nos. 453A, 453B and 453C, contained in the above description.

Reference is hereby made to the said map, filed as aforesaid in the office of the County Clerk of the County of Ulster, for a more detailed description of the real estate to be taken in fee, as above described.

In case any real estate hereinbefore described is used for highway or other public purposes, such use shall continue until such time as The City of New York may acquire the right to close the same.

Dated December 28, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.  
Office and Post Office Address, Hall of Records, Corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

j2,f13

### THIRD JUDICIAL DISTRICT.

ULSTER COUNTY.

*Catskill Aqueduct, Northern Department, Section No. 3, Towns of Olive and Marletown, Ulster County.*

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the towns of Olive and Marletown, Ulster County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the order of confirmation of the first separate report of Amos Van Eten, Lawrence F. Abbott and Arthur V. Hornbeck, who were appointed Commissioners in the above entitled matter by an order of this Court, made at a Special Term thereof, held at the City Hall, in the City of Albany, Albany County, New York, November 30, 1907, was filed in the office of the Clerk of the County of Ulster, December 21, 1908, and affects parcels numbers ninety-three (93), ninety-seven (97), ninety-five (95), ninety-six (96), ninety-eight (98), one hundred and one (101), one hundred and two (102), one hundred and five (105), one hundred and seven (107), one hundred and eight (108), one hundred and nine (109), one hundred and ten (110), one hundred and eleven (111), one hundred and twelve (112), one hundred and thirteen (113), one hundred and fourteen (114), one hundred and fifteen (115), one hundred and sixteen (116), one hundred and seventeen (117), one hundred and eighteen (118), one hundred and nineteen (119), one hundred and twenty (120), one hundred and twenty-one (121), one hundred and twenty-two (122), one hundred and twenty-three (123), one hundred and twenty-four (124), one hundred and twenty-five (125), one hundred and twenty-six (126), one hundred and twenty-seven (127), one hundred and twenty-eight (128), one hundred and twenty-nine (129), one hundred and thirty (130), one hundred and thirty-one (131), shown on the map in this proceeding.

Dated New York, January 2, 1909.

FRANCIS K. PENDLETON,

Corporation Counsel.  
Hall of Records, New York City.

j2,23

### THIRD JUDICIAL DISTRICT.

ULSTER COUNTY.

*Ashokan Reservoir, Section No. 5, Town of Olive, Ulster County.*

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the Town of Olive, Ulster County, N. Y., for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York.

**PUBLIC NOTICE IS HEREBY GIVEN** that the order of confirmation of the first separate report of William D. Brinnier, John B. Harrison and Eugene F. Patten, who were appointed Commissioners in the above entitled matter by an order of this Court, made at a Special Term thereof, held at the Court House in the City of Kingston, Ulster County, N. Y., May 18, 1907, was filed in the office of the Clerk of the County of Ulster, at Kingston, N. Y., on the 10th day of November, 1908, and affects parcels numbers one hundred and eighty-five (185), one hundred and eighty-six (186), one hundred and eighty-eight (188), one hundred and ninety (190), one hundred and ninety-one (191), one hundred and ninety-two (192), one hundred and ninety-three (193), one hundred and ninety-four (194), one hundred and ninety-five (195), one hundred and ninety-six (196), one hundred and ninety-seven (197), one hundred and ninety-eight (198), one hundred and ninety-nine (199), one hundred and two hundred (200), one hundred and two hundred and one (201), one hundred and two hundred and two (202), one hundred and two hundred and three (203), one hundred and two hundred and four (204), one hundred and two hundred and five (205), one hundred and two hundred and six (206), one hundred and two hundred and seven (207), one hundred and two hundred and eight (208), one hundred and two hundred and nine (209), one hundred and two hundred and ten (210), one hundred and two hundred and eleven (211), one hundred and two hundred and twelve (212), one hundred and two hundred and thirteen (213), one hundred and two hundred and fourteen (214), one hundred and two hundred and fifteen (215), one hundred and two hundred and sixteen (216), shown on the map in this proceeding.

Dated New York, December 10, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.  
Hall of Records, New York City.

d12,j2

### SUPREME COURT—NINTH JUDICIAL DISTRICT.

NINTH JUDICIAL DISTRICT, WESTCHESTER COUNTY.

SOUTHERN AQUEDUCT DEPARTMENT, CATSKILL AQUEDUCT.

SECTION No. 14, MOUNT PLEASANT.

NOTICE OF APPLICATION FOR THE APPOINTMENT OF COMMISSIONERS OF APPRAISAL.

**PUBLIC NOTICE IS HEREBY GIVEN** that it is the intention of the Corporation Counsel of The City of New York to make application to the Supreme Court of the State of New York for the appointment of Commissioners of Appraisal under chapter 724 of the Laws of 1905, as amended, and the acts relating thereto. Such application will be made to the Supreme Court at a Special Term thereof to be held in and for the Ninth Judicial District at the Judges' Chambers in the City of Poughkeepsie, Dutchess County, N. Y., on

SATURDAY, FEBRUARY 13, 1909,

at 10 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard. The object of such application is to obtain an order of the Court appointing three disinterested and competent freeholders, one of whom shall reside in the County of New York and at least one of whom shall reside in the County of Westchester, to act as Commissioners of Appraisal under said act and discharge all the duties conferred by said act and the acts amendatory thereof.

The following is a description of the real estate to be acquired, together with a reference to the date and place of filing the map:

All those certain pieces or parcels of real estate situated in the Town of Mount Pleasant, County of Westchester and State of New York, shown on a map entitled: "Southern Aqueduct Department, Section No. 14, Board of Water Supply of The City of New York. Map of real estate situated in the Town of Mount Pleasant, County of Westchester and State of New York, to be acquired by The City of New York under the provisions of chapter 724 of the Laws of 1905, as amended, for the construction of Catskill Aqueduct and appurtenances, from Newcastle town line near Chappaqua to Kensico Reservoir taking line," which map was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on the 8th day of October, 1908, as Map No. 1831; which parcels are bounded and described as follows:

Beginning at a point in the line between the Towns of Newcastle and Mount Pleasant, at the southeast corner of Parcel No. 961 of real estate, Section No. 13 (the map of which section was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on June 13, 1908, as Map No. 1803), said point being also the northeast corner of Parcel No. 962 of real estate, Section No. 14, hereby described, and running thence along the easterly line of said Parcel No. 962 the following courses and distances: South 12 degrees 25 minutes east 168.2 feet, north 77 degrees 35 minutes east 75 feet, south 12 degrees 25 minutes east 217.1 feet and south 30 degrees 33 minutes west 36.2 feet to the southeast corner of said parcel, in the northerly line of Parcel No. 963, in the northerly line of a road leading from Briarcliff to Chappaqua; thence along said road line and partly along said northerly parcel line south 76 degrees 22 minutes east 27.4 feet to the northeast corner of said parcel; thence along the easterly line of same, on a curve of 816.8 feet radius to the right, 43.4 feet, crossing said road, to a point in the southerly line thereof, at the northeast corner of Parcel No. 964; thence along the easterly lines of said parcel and Parcels Nos. 967 and 968, and partly along the following curves, courses and distances: On a curve of 816.8 feet radius to the right, 322.8 feet, south 13 degrees 58 minutes west 349.6 feet, on a curve of 616.8 feet radius to the left, 517.3 feet, south 34 degrees 5 minutes east 223.4 feet, south 55 degrees 55 minutes west 75 feet, south 34 degrees 5 minutes east 4,929.9 feet, crossing Hardscrabble road (leading from Chappaqua to Pleasantville), north 55 degrees 55 minutes east 75 feet, south 34 degrees 5 minutes east 204 feet and south 35 degrees 9 minutes east 292.8 feet, crossing the property of the New York and Harlem Railroad (New York Central and Hudson River Railroad Company, lessees), to the most northerly point of Parcel No. 972, in the easterly line of said railroad property; thence partly along the easterly line of said parcel and along the northerly line of Parcel No. 973, south 35 degrees 9 minutes east 92.7 feet and north 62 degrees 18 minutes east 438.5 feet, crossing Sawmill River, to the northeast corner of said Parcel No. 973, in the westerly line of Washington Avenue (leading from Chappaqua to Pleasantville Station); thence along said line and along the easterly line of said parcel, south 33 degrees 27 minutes west 62.2 feet to the southeast corner of said parcel; thence along the southerly line of same and again partly along the easterly line of before mentioned Parcel No. 972, south 62 degrees 18 minutes west 380.1 feet, recrossing Sawmill River, and south 35 degrees 9 minutes east 196.7 feet, again crossing said river, to the most northerly point of Parcel No. 975, in the before mentioned westerly line of Washington Avenue; thence partly along the easterly line of said parcel, south 35 degrees 9 minutes east 52.9 feet, crossing said Avenue, to a point in the easterly line thereof, at the most northerly point of Parcel No. 976; thence along the easterly line of said parcel, partly along the northerly and along the easterly lines of Parcel No. 977, partly along the northerly line of Parcel No. 978, along the northerly and easterly lines of Parcel No. 979, again partly along the northerly line of Parcel No. 978, along the easterly and partly along the southerly lines of said parcel, partly along the northerly and easterly lines of Parcel No. 980, and along the easterly lines of Parcels Nos. 981 and 982 the following courses and distances: South 35 degrees 9 minutes east 361.7 feet, south 63 degrees 16 minutes east 104.5 feet, south 38 degrees 5 minutes west 129.8 feet, south 35 degrees 9 minutes east 737.1 feet, north 86 degrees 20 minutes east 55.1 feet, south 75 degrees 28 minutes east 37.4 feet, south 57 degrees 3 minutes east 68.1 feet, north 54 degrees 51 minutes east 78.4 feet, north 89 degrees 50 minutes east 122.1 feet, south 35 degrees 9 minutes east 70 feet, south 54 degrees 51 minutes west 50 feet, south 35 degrees 9 minutes east 160.2 feet, south 66 degrees 2 minutes east 23.8 feet, south 58 degrees 16 minutes east 144.3 feet, south 63 degrees east 56.8 feet, south 69 degrees 49 minutes east 52.5 feet, south 80 degrees 33 minutes east 23.1 feet, south 29 degrees 43 minutes east 47.1 feet, south 12 degrees 44 minutes east 61 feet, south 75 degrees 19 minutes west 28.6 feet, south 25 degrees 28 minutes west 25 feet, south 3 degrees 25 minutes east 6.6 feet, south 65 degrees 41 minutes west 17.6 feet, south 81 degrees 33 minutes west 48.5 feet, south 11 degrees 9 minutes east 20.2 feet, south 58 degrees 47 minutes west 184.1 feet, south 31 degrees 13 minutes east 104.7 feet, north 87 degrees 1 minute east 14.7 feet, south 3 degrees 42 min-

utes east 124.8 feet, south 6 degrees 42 minutes east 24.8 feet and south 31 degrees 13 minutes east 420.3 feet to the southeast corner of said Parcel No. 982, in the northerly line of Parcel No. 983, in the northerly line of Bedford Road (leading from Pleasantville Station to Mount Kisco); thence along said road line and partly along said northerly parcel line, north 52 degrees 28 minutes east about 62.4 feet to the northeast corner of said Parcel No. 983; thence along the easterly line of said parcel, south 31 degrees 13 minutes east 46.5 feet, crossing said road, to a point in the southerly line thereof, at the northeast corner of Parcel No. 984; thence along the easterly and partly along the southerly lines of said parcel, along the easterly lines of Parcels Nos. 987 and 988, partly along the easterly line of Parcel No. 989, along the easterly line of Parcel No. 990, and again partly along the easterly line of Parcel No. 989 the following courses and distances: South 34 degrees 38 minutes east 77.5 feet, north 69 degrees 27 minutes east 16.9 feet, south 15 degrees 26 minutes east 52.1 feet, south 67 degrees 37 minutes west 41.7 feet, south 20 degrees 34 minutes east 380.1 feet, north 69 degrees 26 minutes east 6.8 feet, south 9 degrees 34 minutes east 140.8 feet, south 24 degrees 29 minutes east 72.9 feet, south 38 degrees 24 minutes east 29.4 feet, south 71 degrees 49 minutes east 30.6 feet, north 80 degrees 34 minutes east 25.5 feet, south 11 degrees 36 minutes east 34 feet, south 17 degrees 46 minutes east 92.7 feet and north 78 degrees 23 minutes east 40 feet to a point in the westerly line of Broadway (leading from Mount Kisco to Hawthorne); thence along said line and continuing along said easterly line of Parcel No. 989, south 11 degrees 36 minutes east 6 feet and south 14 degrees 20 minutes east 44.3 feet to the northwest corner of Parcel No. 992; thence along the northerly line of said parcel, south 46 degrees 26 minutes east 88.6 feet, crossing said Broadway, to a point in the easterly line thereof, at the northeast corner of said Parcel No. 992; thence partly along the easterly line of said parcel and along said easterly line of Broadway, south 14 degrees 13 minutes east 46.9 feet to the northwest corner of Parcel No. 993; thence along the northerly line of said parcel, partly along the northerly line of Parcel No. 994, and along the northerly lines of Parcels Nos. 995 and 996, the following courses, distances and curves: South 46 degrees 26 minutes east 98.5 feet, south 21 degrees 26 minutes east 129.7 feet, south 64 degrees 3 minutes east 124.6 feet, on a curve of 275 feet radius to the right, 156.7 feet, south 31 degrees 24 minutes east 99.6 feet, on a curve of 641.8 feet radius to the left, 212.3 feet, south 50 degrees 21 minutes east 241.8 feet and south 45 degrees east 710.2 feet to the most easterly point of Parcel No. 996, in the northerly line of Parcel No. 997, in the northerly line of Bear Ridge Road (leading from Broadway to Armonk); thence partly along said parcel line, south 45 degrees east 16.5 feet, north 77 degrees 3 minutes east 29.5 feet and south 45 degrees east 18.1 feet, crossing said road, to a point in the southerly line thereof, at the most northerly point of Parcel No. 998; thence partly along the easterly line of said parcel, along the northerly and easterly lines of Parcel No. 999, and partly along the northerly line of Parcel No. 1000, the following courses, distances and curves: South 45 degrees east 164.8 feet, on a curve of 300 feet radius to the right, 253.2 feet, south 3 degrees 21 minutes west 255.3 feet, on a curve of 616.8 feet radius to the left, 183 feet, south 13 degrees 39 minutes east 226.4 feet, south 43 degrees 23 minutes east 99.2 feet, south 73 degrees 8 minutes east 100 feet, north 53 degrees 12 minutes east 284.3 feet, due east 348 feet, south 5 degrees 53 minutes west 185 feet, south 86 degrees 40 minutes east 164.2 feet, south 88 degrees 15 minutes east 173.2 feet, south 86 degrees 27 minutes east 306.9 feet, south 5 degrees 57 minutes west 308.4 feet, crossing a brook, on a curve of 1,332.7 feet radius to the right, 598.6 feet, and south 50 degrees 45 minutes east 319.9 feet to the southwest corner of Parcel No. 1001, in the westerly line of Palmer's lane (leading to Bear Ridge Road); thence along said westerly line and along the westerly lines of said Parcel No. 1001 and Parcel No. 1002, the following courses and distances: North 7 degrees 37 minutes west 170.1 feet, north 2 degrees 2 minutes west 186.6 feet, north 4 degrees 39 minutes west 388.3 feet, north 3 degrees 33 minutes east 120.9 feet, north 5 degrees 3 minutes east 199.8 feet, north 6 degrees 21 minutes east 199.7 feet and north 7 degrees 25 minutes east 116.1 feet to the northwest corner of said Parcel No. 1002; thence along the northerly lines of said parcel and Parcel No. 1003, south 76 degrees 2 minutes east 35.6 feet, crossing said lane, to a point in the easterly line thereof, at the northeast corner of said Parcel No. 1003; thence along the easterly line of said parcel and along said easterly line of Palmer's lane, the following courses and distances: South 6 degrees 36 minutes west 410.4 feet, south 5 degrees 7 minutes west 220.9 feet, south 4 degrees 23 minutes east 538.4 feet, south 7 degrees 21 minutes east 315.7 feet, crossing another brook, and south 4 degrees east 29.4 feet, to the southeast corner of said parcel, in the northerly line of Parcel No. 1004; thence partly along said line and the northerly line of Parcel No. 1005, south 50 degrees 45 minutes east 3,260.7 feet, crossing another brook, to the most easterly point of said Parcel No. 1005, in the northerly line of Parcel No. 810 of real estate Section No. 11 (the map of which section was filed in the office of the Register of the County of Westchester, at White Plains, N. Y., on July 3, 1908, as Map No. 1810); thence partly along said northerly parcel line, and the southerly line of said Parcel No. 1005, south 80 degrees 15 minutes west 100.3 feet and south 74 degrees 23 minutes west 66.9 feet to the northwest corner of said Parcel No. 810; thence continuing along said southerly line of Parcel No. 1005, and running partly along the southerly line of before mentioned Parcel No. 1004, along the southerly and partly along the westerly lines of before mentioned Parcel No. 1000, and partly along the westerly line of before mentioned Parcel No. 998, the following courses, distances and curves: North 20 degrees 41 minutes west 160.4 feet, north 50 degrees 45 minutes west 3,076 feet, recrossing before mentioned Palmer's lane, north 87 degrees 37 minutes west 125 feet, north 50 degrees 45 minutes west 265.9 feet, on a curve of 1,332.7 feet radius to the left, 520.5 feet, south 61 degrees 16 minutes west 899 feet, north 20 degrees 11 minutes west 109.6 feet, north 19 degrees 39 minutes west 112.1 feet, north 16 degrees 32 minutes west 244.8 feet, north 16 degrees 47 minutes west 76.6 feet, north 38 degrees 34 minutes west 120.3 feet, north 33 degrees 31 minutes west 49.5 feet, north 28 degrees 4 minutes west 139.4 feet, north 73 degrees 8 minutes west 143.6 feet, on a curve of 300 feet radius to the right, 311.4 feet, north 13 degrees 39 minutes west 226.4 feet, crossing another brook, on a curve of 816.8 feet radius to the right, 242.4 feet, north 3 degrees 21 minutes east 122 feet, south 86 degrees 39 minutes east 20 feet, north 3 degrees 21 minutes east 214 feet, north 45 degrees west 169 feet, north 6 degrees 21 minutes west 32 feet, north 45 degrees west 50 feet and north 81 degrees 55 minutes west 99.9 feet to the most westerly point of said parcel, in the southerly line of before mentioned Parcel No. 997, in the southerly line of before mentioned Bear Ridge Road; thence along said road line and

partly along said parcel line, south 76 degrees 4 minutes west 24.5 feet, north 55 degrees 30 minutes west 98.4 feet and north 50 degrees 22 minutes west 85.2 feet to the most westerly point of said parcel; thence partly along the northerly line thereof, north 45 degrees east 27.5 feet, recrossing said road, to a point in the northerly line thereof, at the most northerly point of said parcel, said point being also in the southerly line of before mentioned Parcel No. 995; thence partly along said southerly parcel line and along said road line, north 44 degrees 20 minutes west 152 feet, north 51 degrees 19 minutes west 209.5 feet and north 53 degrees 13 minutes west 33.2 feet; thence continuing along the southerly line of Parcel No. 995, and running along the southerly line of before mentioned Parcel No. 994 and partly along the southerly line of before mentioned Parcel No. 993, the following courses, distances and curves: North 39 degrees 39 minutes east 74.1 feet, north 50 degrees 21 minutes west 271.3 feet, on a curve of 791.8 feet radius to the right, 118.8 feet, north 82 degrees 32 minutes west 106.1 feet, north 3 degrees 22 minutes east 122.1 feet, north 31 degrees 24 minutes west 75 feet, on a curve of 125 feet radius to the left, 71.2 feet north 64 degrees 3 minutes west 625.5 feet, south 8 degrees 13 minutes east 147.4 feet, south 81 degrees 10 minutes west 20 feet, north 16 degrees 21 minutes west 180.3 feet and north 64 degrees 3 minutes west 555.7 feet to the southeast corner of before mentioned Parcel No. 992, in the easterly line of before mentioned Broadway; thence along the southerly line of said parcel, north 64 degrees 3 minutes west 56 feet, recrossing Broadway, to a point in the westerly line thereof, at the southwest corner of said parcel; thence partly along the westerly line of said parcel, and along said road line, north 9 degrees 30 minutes west 54.5 feet and north 10 degrees 51 minutes west 92.4 feet to the most southerly point of Parcel No. 991; thence along the southerly line of said parcel, partly along the southerly and westerly lines of before mentioned Parcel No. 989, partly along the westerly line of Parcel No. 988, and along the westerly lines of Parcels Nos. 986 and 983, the following courses and distances: North 46 degrees 26 minutes west 292.7 feet, south 77 degrees 22 minutes west 220.9 feet, north 7 degrees 42 minutes west 197.2 feet, north 6 degrees 51 minutes west 243.7 feet, south 84 degrees 42 minutes east 9.4 feet, north 11 degrees 27 minutes west 138.3 feet, north 84 degrees 4 minutes west 13.4 feet, north 1 degree 6 minutes west 104.9 feet, north 4 minutes west 75.2 feet, north 17 degrees 2 minutes west 164.8 feet and north 31 degrees 13 minutes west 44.1 feet, recrossing Bedford Road, to a point in the northerly line thereof, at the northwest corner of said Parcel No. 983; thence partly along the northerly line of said parcel, and along said road line, north 51 degrees 5 minutes east 4 feet and north 52 degrees 28 minutes east about 25 feet to the southwest corner of before mentioned Parcel No. 982; thence along the westerly line of said parcel, partly along the southerly and westerly lines of before mentioned Parcel No. 981, along the westerly line of before mentioned Parcel No. 980, and along the westerly lines of before mentioned Parcel No. 978, and along the westerly line of before mentioned Parcel No. 977, the following courses and distances: North 31 degrees 13 minutes west 258.3 feet, north 77 degrees 46 minutes west 12.1 feet, north 79 degrees 1 minute west 13.7 feet, north 14 degrees 21 minutes west 49.8 feet, north 4 degrees 18 minutes east 7.8 feet, north 31 degrees 13 minutes west 190.9 feet, south 58 degrees 47 minutes west 55 feet, north 31 degrees 13 minutes west 443 feet, north 35 degrees 9 minutes west 541.8 feet, north 89 degrees 48 minutes east 67.2 feet, north 35 degrees 9 minutes west 698.1 feet, south 54 degrees 51 minutes west 75 feet and north 35 degrees 9 minutes west 430.5 feet to the most westerly point of said Parcel No. 977, in the before mentioned easterly lines of Parcel No. 973 and Washington Avenue; thence partly along said parcel line, north 35 degrees 9 minutes west 25.5 feet to a point in the centre of said Avenue; thence along the centre line thereof, and continuing along said easterly parcel line, south 40 degrees 1 minute west 395 feet to the southeast corner of said parcel; thence along the southerly line of same, north 49 degrees 59 minutes west 26.3 feet, to a point in the westerly line of said Avenue, at the southeast corner of Parcel No. 974; thence along the southerly line of said parcel, north 49 degrees 59 minutes west 269.2 feet to the southwest corner of same, in the easterly line of the before mentioned property of the New York and Harlem Railroad (New York Central and Hudson River Railroad Company, lessees); thence along said railroad property line, the westerly line of said parcel, and partly along the westerly line of before mentioned Parcel No. 972, north 35 degrees 31 minutes east 41.1 feet, north 56 degrees 13 minutes east 107.4 feet, again crossing Sawmill River, north 35 degrees 31 minutes east 301.1 feet, recrossing and again crossing said river, to the most southerly point of before mentioned Parcel No. 971; thence partly along the westerly line of said parcel, north 35 degrees 9 minutes west 109.2 feet to the most westerly point of same, in the westerly line of said railroad property, said point being also in the easterly line of before mentioned Parcel No. 969; thence partly along said parcel line, and along said railroad property line, south 35 degrees 31 minutes west 424.2 feet, again crossing Sawmill River, to the most southerly point of said parcel; thence partly along the westerly line of same, and along the westerly lines of Parcel No. 970 and before mentioned Parcels Nos. 968 and 967, partly along the westerly line of before mentioned Parcel No. 966, and along the westerly line of Parcel No. 966, the following courses and distances: North 35 degrees 9 minutes west 433 feet, again crossing Sawmill River, north 55 degrees 55 minutes east 425 feet, north 34 degrees 55 minutes west 225 feet, north 55 degrees 55 minutes east 75 feet, north 34 degrees 5 minutes west 4,930.1 feet, recrossing before mentioned Hardscrabble road, south 55 degrees 55 minutes west 75 feet, north 34 degrees 5 minutes west 300 feet, due west 400 feet and north 43 degrees 58 minutes west 747 feet to the northwest corner of Parcel No. 965, in the centre of the before mentioned road leading from Briarcliff to Chappaqua; thence along the centre line of said road and partly along the northerly line of said parcel, the following courses and distances: North 62 degrees 56 minutes east 143.6 feet, north 62 degrees 12 minutes east 93.3 feet, north 70 degrees 45 minutes east 47 feet, north 57 degrees 28 minutes east 83.5 feet, north 46 degrees 46 minutes east 91.6 feet, north 31 degrees 14 minutes east 43.4 feet and north 19 degrees 28 minutes east 56.1 feet; thence continuing along said northerly parcel line, north 82 degrees 54 minutes east 24.5 feet to the most northerly point of said parcel, in the northerly line of before mentioned Parcel No. 964, in the easterly line of said road; thence partly along said northerly parcel line, north 82 degrees 54 minutes east 481.1 feet and on a curve of 616.8 feet radius to the left, 254.4 feet, to the southwest corner of before mentioned Parcel No. 963, at another point in the southerly line of the last mentioned road leading from Briarcliff to Chappaqua; thence along the westerly line of said parcel, on a curve of 616.8 feet radius to the left, 29.7 feet, and north 12 degrees 25 minutes west 16.1 feet to the southwest corner of before mentioned Parcel No. 962, in the northerly line of said road; thence along the westerly line of said parcel north 12 degrees 25 minutes west 229.5 feet, north 77

degrees 35 minutes east 75 feet and north 12 degrees 25 minutes west 217.6 feet to the northwest corner of same, in the before-mentioned line between the Towns of Mount Pleasant and New-castle, in the southerly line of before-mentioned Parcel No. 961 of Real Estate Section No. 13, Southern Aqueduct Department; thence partly along said southerly parcel line and along the northerly line of said Parcel No. 962 and said town line, south 58 degrees 32 minutes east 34.7 feet and south 57 degrees 3 minutes east 35.6 feet to the point or place of beginning.

The greatest width of the tract of land acquired for the aqueduct is 580 feet, at Parcels Nos. 999 and 1000, as shown on the map herebefore referred to. The least width of the aqueduct is 50 feet across each of the following parcels: Nos. 962, 964, 967, 968, 970, 977, 982, 1004, 1005.

The fee is to be acquired by The City of New York in all the real estate Parcels Nos. 962 to 1005, both inclusive, contained in the above description, excepting Parcels Nos. 973, 1001, 1002 and 1003, in which a perpetual easement is to be acquired for the purpose of building, maintaining and using the same in perpetuity for highway purposes.

The right sought to be acquired in Parcel No. 998, shown on said map, is for the purpose of constructing, maintaining and using the same for the construction of an aqueduct and its appurtenances as provided for by said act and the acts amendatory thereof or relating thereto.

Reference is hereby made to the said map filed as aforesaid in the office of the Register of the County of Westchester for a more detailed description of the real estate to be taken as above described.

In case any real estate herebefore described is used for highway or other public purposes, such use shall continue until such time as The City of New York may acquire the right to close the same.

Dated December 26, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City.

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#### NINTH JUDICIAL DISTRICT, ORANGE COUNTY.

NORTHERN AQUEDUCT DEPARTMENT.

CATSKILL AQUEDUCT.

Section No. 7, Town of Cornwall.

#### NOTICE OF APPLICATION FOR THE APPOINTMENT OF COMMISSIONERS OF APPRAISAL.

**PUBLIC NOTICE IS HEREBY GIVEN** that it is the intention of the Corporation Counsel of The City of New York to make application to the Supreme Court of the State of New York for the appointment of Commissioners of Appraisal under chapter 724 of the Laws of 1905, as amended, and the acts relating thereto. Such application will be made to the Supreme Court at a Special Term thereof to be held in and for the Ninth Judicial District at the Court House in the City of Newburgh, Orange County, N. Y., on

**SATURDAY, FEBRUARY 6, 1909,**

at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard. The object of such application is to obtain an order of the Court appointing three disinterested and competent freeholders, one of whom shall reside in the County of New York, and at least one of whom shall reside in the County of Orange, to act as Commissioners of Appraisal under said act and discharge all the duties conferred by said act and the acts amendatory thereof.

The following is a description of the real estate to be acquired, together with a reference to the date and place of filing the map:

All those certain pieces or parcels of real estate situated in the Town of Cornwall, County of Orange and State of New York, shown on a certain map entitled: "Northern Aqueduct Department, Section No. 7, Board of Water Supply of The City of New York. Map of real estate situated in the Town of Cornwall, County of Orange and State of New York, to be acquired by The City of New York under the provisions of chapter 724 of the Laws of 1905, as amended, for the construction of Catskill Aqueduct and appurtenances, from west shore of Hudson River at Storm King to the vicinity of Vails-gate," which map was filed in the office of the County Clerk of the County of Orange at Goshen, N. Y., on the 14th day of December, 1908; which parcels are bounded and described as follows:

##### First Part.

Beginning at the most southerly point of Parcel No. 318 of Real Estate Section No. 6, Northern Aqueduct Department (the map of which section was filed in the office of the County Clerk of the County of Orange at Goshen, New York, on the 15th day of June, 1908), said point being also the most easterly point of Parcel No. 319 and the most northerly point of the southerly portion of Parcel No. 320, and running thence partly along the northerly line and along the easterly line of said southerly portion of Parcel No. 320, south 45 degrees 6 minutes east 433.1 feet and south 44 degrees 10 minutes west 185.7 feet to the southeast corner of said portion of Parcel No. 320, in the northerly line of the property of the West Shore Railroad; thence along said railroad property line and the southerly line of said parcel, north 45 degrees 41 minutes west 474.4 feet to the most easterly point of Parcel No. 322; thence partly along the southerly line of said parcel, south 56 degrees 35 minutes west 101.3 feet, crossing said railroad property to a point in the southerly line thereof at the most southerly point of said parcel; thence continuing along the southerly line of said parcel and running along said southerly railroad property line north 45 degrees 41 minutes west 51.2 feet, to the most westerly point of said parcel; thence partly along the northerly line thereof and partly along the southerly line of Parcel No. 323, the following courses and distances: North 56 degrees 35 minutes east 87.3 feet, north 55 degrees 55 minutes west 58.3 feet, north 46 degrees 28 minutes west 77.6 feet and south 44 degrees 19 minutes west 74 feet, to another point in the southerly line of said railroad property in the northerly line of Parcel No. 324; thence along said parcel and railroad lines, north 45 degrees 41 minutes west 75 feet; thence continuing along the southerly line of Parcel No. 323, the following courses and distances: North 44 degrees 10 minutes east 64.6 feet, north 52 degrees 46 minutes west 61.9 feet, north 57 degrees 13 minutes west 100 feet, north 28 degrees 50 minutes west 104.4 feet, north 38 degrees 38 minutes 30 seconds west 105.7 feet and south 44 degrees 10 minutes west 91 feet, to another point in the before-mentioned southerly railroad property line in the northerly line of before-mentioned Parcel No. 324; thence along the said parcel and railroad lines, and continuing along the southerly line of Parcel No. 323, north 45 degrees 41 minutes west 50 feet, to the southwest corner of said Parcel No. 323; thence along the westerly line of same, north 44 degrees 10 minutes east 99 feet, to the northwest corner of said parcel in the northerly line of said railroad property, said point being also in the south-

erly line of the northerly portion of before-mentioned Parcel No. 320; thence partly along said southerly line and said railroad line, north 45 degrees 41 minutes west 32.9 feet, to the southwest corner of said parcel; thence along the westerly and northerly lines of said northerly portion of Parcel No. 320, north 25 degrees 54 minutes 30 seconds east 9.2 feet, north 44 degrees 19 minutes east 100 feet and south 45 degrees 6 minutes east 792 feet, to the most westerly point of before-mentioned Parcel No. 318 of Section No. 6, Northern Aqueduct Department, said point being also the most northerly point of before-mentioned Parcel No. 319; thence partly along the northerly line of the last-mentioned parcel and the southerly line of Parcel No. 318, south 45 degrees 6 minutes east 51.1 feet to the point or place of beginning.

##### Second Part.

Beginning at the most easterly point of Parcel No. 326, in the southerly line of the property of the West Shore Railroad, said point being also the most northerly point of Parcel No. 321, and running thence partly along the northerly line of the last mentioned parcel and along said railroad property line south 45 degrees 41 minutes east 110.9 feet, to the most easterly point of said parcel; thence along the southerly and westerly lines of said parcel, partly along the southerly line of before mentioned Parcel No. 326, along the southerly lines of Parcels Nos. 329, 331, 332, 333, 336, 337 and 338, partly along the southerly line of Parcel No. 339, along the southerly lines of Parcels Nos. 340 and 341, partly along the southerly lines of Parcels Nos. 343 and 344, partly along the easterly, along the southerly and partly along the westerly lines of Parcel No. 345, and along the southerly lines of Parcels Nos. 346 and 347, the following courses, distances and curve: South 81 degrees 14 minutes west 697 feet, north 8 degrees 46 minutes west 75 feet, south 81 degrees 14 minutes west 2,985.2 feet, south 8 degrees 46 minutes west 25 feet, south 81 degrees 14 minutes west 271 feet, north 8 degrees 46 minutes west 25 feet, south 81 degrees 14 minutes west 1,853.4 feet, on a curve of 75 feet radius to the right 44.8 feet, north 64 degrees 32 minutes 30 seconds west 2,299.9 feet, crossing Mountain road leading to West Point and a boulevard, south 40 degrees 55 minutes west 575 feet, north 60 degrees 54 minutes west 227.4 feet, north 7 degrees 5 minutes west 360 feet, north 28 degrees 30 minutes east 240 feet and north 68 degrees 24 minutes 30 seconds west 342 feet, to the southeast corner of Parcel No. 348, in the centre of Highland avenue; thence along the southerly lines of said parcel and Parcels Nos. 349, 350 and 351, the following courses and distances: North 68 degrees 24 minutes 30 seconds west 1,552.1 feet, north 49 degrees 58 minutes west 49 feet, north 68 degrees 24 minutes 30 seconds west 28 feet, south 21 degrees 35 minutes 30 seconds west 15.5 feet, and north 68 degrees 24 minutes 30 seconds west 638.4 feet, to the southeast corner of Parcel No. 342 in the easterly line of Hudson street; thence along the southerly lines of said parcel and Parcels Nos. 353, 354, 356, 355, 357, 358 and 359; partly along the easterly and along the southerly lines of Parcel No. 360, partly along the southerly line of Parcel No. 361, along the southerly line of Parcel No. 362, partly along the southerly line of Parcel No. 363, along the easterly line of Parcel No. 365, along the easterly, southerly and westerly lines of Parcel No. 368 and the westerly line of before mentioned Parcel No. 365, again partly along the southerly line of Parcel No. 363, along the southerly line of Parcel No. 366, and partly along the easterly and southerly lines of Parcel No. 369, the following courses and distances: North 68 degrees 24 minutes 30 seconds west 2,229.4 feet, crossing a road leading from Cornwall-on-Hudson and a road leading from Cornwall to Newburg, Idlewild Brook and Mailler avenue, south 36 degrees 44 minutes 30 seconds west about 37 feet, north 65 degrees 44 minutes west 596.4 feet, north 24 degrees 15 minutes 30 seconds east 7.3 feet, north 68 degrees 24 minutes 30 seconds west 2,825.3 feet, south 9 degrees 21 minutes 30 seconds west 714.1 feet, south 23 degrees 5 minutes west 648.3 feet, south 55 degrees 13 minutes west 47 feet, north 23 degrees 5 minutes east 685.1 feet, north 9 degrees 21 minutes 30 seconds east 716.6 feet, north 68 degrees 24 minutes 30 seconds west 233.5 feet, crossing the property of the New York, Ontario and Western Railroad, south 16 degrees 9 minutes 30 seconds west 79.8 feet, and north 65 degrees 29 minutes 30 seconds west 275 feet, to a point in the centre of Moodna Creek; thence along said creek north 11 degrees 13 minutes west 92.3 feet; thence continuing along the southerly line of said Parcel No. 369 and running partly along the northerly line of same, north 65 degrees 29 minutes 30 seconds west 1,318.7 feet, north 78 degrees 37 minutes 30 seconds east 85.3 feet and south 65 degrees 29 minutes 30 seconds east 1,213.7 feet to another point in the centre of Moodna Creek; thence along the centre line thereof north 11 degrees 13 minutes west 96.1 feet, north 7 degrees 47 minutes 30 seconds east 160 feet and north 21 degrees 51 minutes east 608.8 feet, thence continuing along the northerly line of Parcel No. 369, south 73 degrees 50 minutes 30 seconds east 375 feet to a point in the westerly line of the before-mentioned property of the New York, Ontario and Western Railroad; thence along said railroad property line and partly along the easterly line of said parcel, south 16 degrees 9 minutes 30 seconds west 800 feet and south 30 degrees 12 minutes west 99 feet to the northwest corner of before-mentioned Parcel No. 366; thence along the northerly line of said parcel south 68 degrees 24 minutes 30 seconds east 146.9 feet, recrossing said railroad property to a point in the easterly line thereof, at the southwest corner of Parcel No. 364; thence partly along the westerly line of said parcel and along said easterly railroad property line north 31 degrees 51 minutes east 10.3 feet and north 16 degrees 9 minutes 30 seconds east 512.4 feet to the southeast corner of Parcel No. 367; thence along the southerly line of said parcel north 75 degrees 50 minutes 30 seconds west 125 feet, again crossing said railroad property to a point in the westerly line thereof, at the southwest corner of said parcel; thence along the westerly line of said parcel and along said railroad property line, north 16 degrees 9 minutes 30 seconds east 25 feet to the northwest corner of said parcel; thence along the northerly line thereof south 73 degrees 50 minutes 30 seconds east 125 feet, again recrossing said railroad property to a point in the easterly line thereof, at the northwest corner of before-mentioned Parcel No. 364; thence along the northerly and easterly lines of said parcel, partly along the northerly lines of before-mentioned Parcels Nos. 363 and 362, along the northerly line of before-mentioned Parcel No. 361 and partly along the northerly and easterly lines of before-mentioned Parcel No. 360 and along the northerly lines of Parcels Nos. 359, 358, 357, 355, 356, 354 and 353, the following courses and distances: South 73 degrees 50 minutes 30 seconds east 25 feet, south 16 degrees 9 minutes 30 seconds west 500 feet, south 26 degrees 7 minutes 30 seconds east 74 feet, north 68 degrees 24 minutes 30 seconds east 2,865.8 feet, north 24 degrees 15 minutes 30 seconds east 256.4 feet, north 78 degrees 10 minutes east 120.1 feet, north 30 degrees 7 minutes 30 seconds east 250.2 feet, south 64 degrees 20 minutes 30 seconds east 456.8 feet, south 36 degrees 44 minutes 30 seconds west 280 feet, south 53 degrees 15 minutes 30 seconds east 150 feet, south 36 degrees 44 minutes 30

seconds west about 230 feet, south 68 degrees 24 minutes 30 seconds east 1,780.6 feet, recrossing before-mentioned Mailler avenue, before-mentioned Idlewild Brook, a road leading from Cornwall to Newburg and a road leading to Cornwall-on-Hudson, south 21 degrees 35 minutes 30 seconds west 7.5 feet, south 68 degrees 24 minutes 30 seconds east 55 feet, north 21 degrees 35 minutes 30 seconds east 7.5 feet and south 68 degrees 24 minutes 30 seconds east 3,474.2 feet, to the northwest corner of before-mentioned Parcel No. 352 in the centre of before-mentioned Hudson street; thence along the northerly lines of said parcel and before-mentioned Parcels Nos. 351, 350 and 349, south 68 degrees 24 minutes 30 seconds east 2,276.4 feet to the northwest corner of before-mentioned Parcel No. 347, in the centre of before-mentioned Highland avenue; thence along the northerly lines of said parcel and before-mentioned Parcels Nos. 346, 345 and 344, partly along the northerly lines of before-mentioned Parcels Nos. 343 and 341, along the northerly line of Parcel No. 342, again partly along the northerly line of Parcel No. 341, along the northerly lines of before-mentioned Parcels Nos. 340 and 339, partly along the northerly lines of before-mentioned Parcel No. 338, along the northerly lines of before-mentioned Parcels Nos. 337 and 336, along the northerly and partly along the easterly lines of before-mentioned Parcel No. 333, partly along the westerly line of Parcel No. 334 and along the westerly line of Parcel No. 335, the following courses, distances and curve: South 68 degrees 24 minutes 30 seconds east 336.5 feet, north 71 degrees 3 minutes 30 seconds east 74.5 feet, north 33 degrees 26 minutes east 175 feet, south 64 degrees 21 minutes east 295 feet, south 9 degrees 11 minutes 30 seconds east 276.9 feet, recrossing the before-mentioned boulevard and Mountain road, south 64 degrees 32 minutes 30 seconds east 1,834 feet, south 25 degrees 27 minutes 30 seconds west 4 feet, south 40 degrees 48 minutes east 24.8 feet, south 64 degrees 32 minutes 30 seconds east 16 feet, north 25 degrees 27 minutes 30 seconds east 14 feet, south 64 degrees 32 minutes 30 seconds east 461.8 feet, on a curve of 25 feet radius to the left 14.0 feet, north 81 degrees 14 minutes east 1,568.3 feet, north 8 degrees 46 minutes west 90 feet, north 21 degrees 51 minutes east 289.9 feet, north 83 degrees 20 minutes 30 seconds east 470 feet, south 35 minutes 30 seconds west 210.4 feet, south 88 degrees 15 minutes east 217.3 feet, north 12 degrees 5 minutes west 200.8 feet, north 79 degrees 14 minutes 30 seconds east 272 feet and north 23 degrees 23 minutes 30 seconds east 420.5 feet to the most northerly point of said Parcel No. 335, in the southerly line of Bay View avenue; thence along said line and the northerly lines of said parcel and before-mentioned Parcel No. 334, south 45 degrees 51 minutes 30 seconds east 26.8 feet to the northeast corner of said Parcel No. 334; thence along the easterly and southerly lines of said parcel, again partly along the northerly line of Parcel No. 333, along the northerly lines of before-mentioned Parcels Nos. 332, 331 and 329, along the westerly line of Parcel No. 328 and the southerly and westerly lines of Parcel No. 330, the following courses, distances and curves: South 23 degrees 23 minutes 30 seconds west 424.2 feet, south 79 degrees 14 minutes 30 seconds west 259.6 feet, south 12 degrees 5 minutes east 207.2 feet, north 88 degrees 15 minutes west 248.7 feet, south 35 minutes 30 seconds west 91.2 feet, north 81 degrees 14 minutes east 2,771.6 feet, north 25 degrees 27 minutes 30 seconds east 117.8 feet, north 44 degrees 35 minutes 30 seconds west 117.7 feet, north 82 degrees 50 minutes 30 seconds west 401.1 feet, on a curve of 211.9 feet radius to the right 169.1 feet, on a curve of 138 feet radius to the left 216.8 feet, south 52 degrees 53 minutes west 54 feet, south 71 degrees 40 minutes 30 seconds west 76.3 feet, south 78 degrees 35 minutes 30 seconds west 13.9 feet and north 10 degrees 7 minutes west 16 feet to a point in the centre of before-mentioned Bay View avenue, at the northwest corner of said Parcel No. 330; thence along the northerly line of said parcel, partly along the westerly line of Parcel No. 325 and along the westerly line of Parcel No. 324, the following courses, distances and curves: North 78 degrees 35 minutes 30 seconds east 13.5 feet, north 63 degrees 35 minutes 30 seconds east 40.1 feet, north 56 degrees 18 minutes 30 seconds east 26 feet, north 52 degrees 53 minutes east 54 feet, on a curve of 168 feet radius to the right 263.9 feet, on a curve of 181.0 feet radius to the left 145.2 feet, south 82 degrees 50 minutes 30 seconds east 528.5 feet and north 25 degrees 54 minutes 30 seconds east 454.7 feet to the northwest corner of said Parcel No. 324, in the before-mentioned southerly line of the property of the West Shore Railroad; thence along said railroad property line and the northerly line of said parcel, partly along the northerly lines of Parcel No. 325 and before-mentioned Parcel No. 326, south 45 degrees 41 minutes east 746.2 feet to the point or place of beginning.

The greatest width of the proposed taking along the aqueduct is 515 feet, which occurs across Parcel No. 369, and the least width of the said taking is 50 feet, which occurs across each of the following parcels: 319, 322, 326, 329, 331, 332, 333, 336 to 363, both inclusive; 366 and 369.

The fee of all the real estate shown on said map is to be acquired by The City of New York, designated as Parcels Nos. 319 to 369, both inclusive, except Parcels Nos. 319, 326, 327 and 330, colored blue on said map, in which a perpetual easement is to be acquired, being the right to construct and forever maintain the aqueduct and its appurtenances as provided for by said act and the acts amendatory thereof or relating thereto.

And also excepting Parcels Nos. 320, 321, 323, 324, 325, 328, 334, 335, 364, 365, 367 and 368, colored yellow on said map, in which a temporary easement is to be acquired, being the right to occupy and use the surface of said parcels for such purposes as may be necessary until the completion of the aqueduct and its appurtenances, at which time the rights of the City shall cease.

Reference is hereby made to the said map filed as aforesaid in the office of the County Clerk of the County of Orange for a more detailed description of said real estate to be acquired as above stated.

In case any real estate herebefore described is used for highway or other public purposes, such use shall continue until such time as The City of New York may acquire the right to close the same.

Dated December 24, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City.

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#### NINTH JUDICIAL DISTRICT.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905, and the acts amendatory thereof, in the City of Yonkers, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York, Hill View Reservoir, Section 1.

**PUBLIC NOTICE IS HEREBY GIVEN** that the fourth separate report of George N. Rigby, James K. Appar and Bernard F. Martin, Commissioners of Appraisal in the above-entitled matter, dated November 18, 1908, covering Parcels Nos. 1 and 3, was filed in the office of the Clerk of Westchester County on November 20, 1908.

Further notice is hereby given that an application will be made to the Supreme Court at a Special Term thereof to be held at the Judge's Chambers, Nyack, Rockland County, N. Y., on January 9, 1909, at 10.30 o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, for an order confirming said report and for such other and further relief as to the Court may seem just.

Dated New York, December 12, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office Address, Hall of Records, Corner of Chambers and Centre Streets, Borough of Manhattan, New York City.

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#### NINTH JUDICIAL DISTRICT.

In the matter of the application and petition of J. Edward Simmons, Charles N. Chadwick and Charles A. Shaw, constituting the Board of Water Supply of The City of New York, to acquire real estate for and on behalf of The City of New York, under chapter 724 of the Laws of 1905 and the acts amendatory thereof, in the towns of North Castle and Mount Pleasant, Westchester County, New York, for the purpose of providing an additional supply of pure and wholesome water for the use of The City of New York, Kensico Reservoir, Section No. 4.

**PUBLIC NOTICE IS HEREBY GIVEN** that the second separate report of William B. Greeley, Henry G. Gray and H. Hobart Keeler, Commissioners of Appraisal in the above entitled matter, dated November 19, 1908, covering Parcels Nos. 197, 199, 201, 204, 205, 206, 208, 214, 216, 217, 219, 221, 224, 225, 226, 230, 234, 236, 245, 250, 251, 255, 259, 262 and 277, was filed in the office of the Clerk of Westchester County on November 20, 1908.

Further notice is hereby given that an application will be made to the Supreme Court at a Special Term thereof, to be held at the Judge's Chambers, Nyack, Rockland County, New York, on January 9, 1909, at 10.30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, for an order confirming said report and for such other and further relief as to the Court may seem just.

Dated New York, December 12, 1908.

FRANCIS KEY PENDLETON,

Corporation Counsel.

Office and Post Office address, Hall of Records, corner of Chambers and Centre streets, Borough of Manhattan, New York City.

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#### PROPOSALS FOR BIDS AND ESTIMATES FOR THE CITY OF NEW YORK.

##### NOTICE TO CONTRACTORS.

##### GENERAL INSTRUCTIONS TO BIDDERS.

The person or persons making a bid or estimate for any services, work, materials or supplies for The City of New York, or for any of its departments, bureaus or offices, shall furnish the same in a sealed envelope, indorsed with the title of the supplies, materials, work or services for which the bid or estimate is made, with his or their name or names and the date of presentation to the President or Board or to the head of the Department at his or its office, on or before the date and hour named in the advertisement for the same, at which time and place the estimates received will be publicly opened by the President or Board or head of said Department and read, and the award of the contract made according to law as soon thereafter as practicable.

Each bid or estimate shall contain the name and place of residence of the person making the same, and names of all persons interested with him therein, and, if no other person be so interested, it shall distinctly state that fact; also, that it is made without any connection with any other person making an estimate for the same purpose, and is in all respects fair and without collusion or fraud, and that no member of the Board of Aldermen, head of a department, chief of a bureau, deputy thereof, or clerk therein, or other officer of The City of New York is, shall be or become interested, directly or indirectly, as contracting party, partner, stockholder, surety or otherwise in or in the performance of the contract, or in the supplies, work or business 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 herein are in all respects true.

Each bid or estimate shall be accompanied by the consent, in writing, of two householders or freeholders in The City of New York, or of a guaranty or surety company duly authorized by law to act as surety, and shall contain the matters set forth in the blank forms mentioned below.

No bid or estimate will be considered unless, as a condition precedent to the reception or consideration of any proposal, it be accompanied by a certified check upon one of the State or National banks of The City of New York, drawn to the order of the Comptroller, or money to the amount of five per centum of the amount of the bond required, as provided in section 420 of the Greater New York Charter.

The certified check or money should not be inclosed in the envelope containing the bid or estimate, but should be either inclosed in a separate envelope addressed to the head of the Department, President or Board, or submitted personally upon the presentation of the bid or estimate.

For particulars as to the quantity and quality of the supplies, or the nature and extent of the work, reference must be made to the specifications, schedules, plans, etc., on file in the said office of the President, Board or Department.

No bid shall be accepted from or contract awarded to any person who is in arrears to The City of New York upon debt or contract, or who is a defaulter, as surety or otherwise, upon any obligation to the City.

The contract must be bid for separately. The right is reserved in each case to reject all bids or estimates if it is deemed to be for the interest of the City so to do.

Bidders will write out the amount of their bids or estimates in addition to inserting the same in figures.

Bidders are requested to make their bids or estimates upon the blank forms prepared and furnished by the City, a copy of which, with the proper envelope in which to inclose the bid, together with a copy of the contract, including the specifications, in the form approved by the Corporation Counsel, can be obtained upon application therefor at the office of the Department for which the work is to be done. Plans and drawings of construction work may also be seen there.