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THE CITY RECORD.

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GEORGE B. McCLELLAN, Mayor.

JOHN J. DELANY, CORPORATION COUNSEL. EDWARD M. GROUT, COMPTROLLER.

PATRICK J. TRACY, SUPERVISOR.

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BOARD OF ESTIMATE AND APPORTIONMENT.

MINUTES, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK, ROOM 16, CITY HALL, FRIDAY, SEPTEMBER 16, 1904.

The Board met in pursuance of an adjournment, taken July 22, 1904.

Present—George B. McClellan, Mayor; Edward M. Grout, Comptroller; John F. Ahearn, President of the Borough of Manhattan; Martin W. Littleton, President of the Borough of Brooklyn; Louis F. Haffen, President of the Borough of The Bronx; Joseph Cassidy, President of the Borough of Queens; George Cromwell, President of the Borough of Richmond.

Hon. George B. McClellan, Mayor, presiding.

The minutes of meetings held July 1, 15, 22, August 2 and 19, 1904, were approved as printed.

The Secretary presented the following report from the President of the Borough of Manhattan and the Chief Engineer of the Board of Estimate and Apportionment, relative to a communication from the Hudson Tri-Centennial Association, submitting a petition calling attention to the fact that on September 12, 1909, will occur the three hundredth anniversary of the discovering of the Hudson river by Hendrik Hudson, and urging that this event be properly commemorated.

CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN,
CITY HALL, JUNE 24, 1904.

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

SIR—At the meeting of the Board of Estimate and Apportionment held on May 13, there was referred to the President of the Borough of Manhattan and the Chief Engineer of the Board of Estimate and Apportionment, a communication from the Hudson Tri-Centennial Association, through Mr. T. P. Fowler, its president, submitting, with its indorsement, a petition calling attention to the fact that on September 12, 1909, will occur the three-hundredth anniversary of the discovery of the Hudson river by Hendrik Hudson. The association urges that this event be properly commemorated, and suggests as a proper means of doing so the dedication on the date of the anniversary, of a monumental bridge or viaduct across the Spuyten Duyvil creek, connecting Inwood Heights, in the Borough of Manhattan, with Spuyten Duyvil Heights, in the Borough of The Bronx, this viaduct being the connecting link between what will be the extension of the Riverside drive and Boulevard Lafayette and the Spuyten Duyvil parkway already laid out and improved to the northernmost limit of the City. It is stated in the petition that "if this structure be built by the City, our public-spirited citizens may be relied upon to provide the sculpture and decorative features necessary for its commemorative character."

All of the studies which have thus far been made for mapping the upper end of the Island of Manhattan, known as the Twelfth Ward, have indicated the extension of the Boulevard Lafayette across the Dyckman street valley along Inwood Heights and across Spuyten Duyvil creek by means of a viaduct such as is now proposed to connect with Spuyten Duyvil parkway. While the proposed location of such a viaduct varies slightly in the different schemes, it has in all of them been designed to connect the heights on the Manhattan side of the Spuyten Duyvil creek with those of The Bronx. The suggestion, therefore, is not a new one, but it is made with peculiar appropriateness

at this time, and would be a fitting memorial of the discovery of the Hudson river. The Riverside drive is now being extended from Manhattan Valley to the Boulevard Lafayette, at a cost of several millions of dollars. It may be said that the construction of such a viaduct as is proposed would be an unnecessary expense, when more useful and pressing improvements are needed. Several monumental structures have already been erected on the northerly end of Manhattan Island at the expense of the City at large, and inasmuch as the Borough of Manhattan contains by far the most valuable property in The City of New York and pays a corresponding share of the expenses of the City government and of the great public improvements which are not assessed upon the property locally benefited, and as the former City of New York had provided before consolidation the most of these great improvements at her own expense, it seems but fair that generous provision should be made for the completion of the superb Riverside Boulevard by adding one more monumental bridge across the waterway separating Manhattan and The Bronx.

A study of such a structure has already been prepared by Messrs. Boller & Hodge, consulting engineers, with whom Messrs. Morris & Walker collaborated as architects. Mr. Boller has advised us that, while at the present time it is impossible to make accurate estimates of the cost of such a structure, he believes that such a bridge as has been designed can, without the monumental adjuncts, be built at a cost not to exceed \$1,600,000. As is stated in the petition addressed to the Board, it is expected that the Hudson Tri-Centennial Association and its public-spirited friends will provide the monumental and decorative features.

Only five years remain before the anniversary which it is desired to commemorate, and if the suggestion which has been presented to the Board is to be favorably considered, the initial steps should be taken without delay. The work is so important that it would seem worthy of the selection of a special commission to carry it out, as was successfully done in the case of the Washington Bridge, rather than to impose the responsibility for its successful execution upon either the Bridge Department or the Park Board, both of which have other exacting duties.

While the Board will probably not be prepared to commit itself to this undertaking, we believe that it would be wise to have the necessary surveys and borings made to permit of the preparation of more detailed plans. An accurate contour map of the two sides of Spuyten Duyvil creek could probably be prepared at slight expense by the Presidents of the Boroughs of Manhattan and The Bronx, and we believe that the sum of \$10,000 would cover the cost of all the necessary borings and of the making of plans in sufficient detail to permit of accurate estimates of cost. We beg, therefore, to recommend that the Board authorize an issue of Corporate Stock in the sum of \$10,000 to provide for such preliminary surveys, borings and plans, and that the Presidents of the two boroughs which would be connected by the proposed structure be requested to provide the necessary surveys and maps, or that the employment of competent City Surveyors to do this work be authorized.

Respectfully,
JOHN F. AHEARN,

President, Borough of Manhattan.

NELSON P. LEWIS,

Chief Engineer, Board of Estimate and Apportionment.

HUDSON TRI-CENTENNIAL ASSOCIATION,
NEW YORK, May 5, 1904.

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

We beg to submit the inclosed petition, which has the endorsement, not only of this Association, but of a greater number of prominent citizens, and the object of which is well known to several of your members.

We pray for a short hearing in which we will be represented by the Hon. William M. K. Olcott.

Respectfully yours,

(Signed) T. P. FOWLER, President.

(Copy.)

HUDSON TRI-CENTENNIAL ASSOCIATION,
NEW YORK.

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

The 12th of September, 1909, marks the three hundredth anniversary of the discovery of the Hudson river by Hendrick Hudson.

Worthily to commemorate an historic event of such importance, the Hudson Tri-Centennial Association has recommended to the authorities of The City of New York, the construction of an artistic bridge across the Spuyten Duyvil at Inwood Heights. This bridge would, in conjunction with the Riverside drive and Boulevard Lafayette, be a connecting link in extending the superb boulevard of the Hudson to the Yonkers line, constituting a driveway unmatched in the world.

If this structure be built by the City, our public spirited citizens may be relied upon to provide the sculpture and decorative features necessary for its commemorative character.

The Tri-Centennial Association bespeaks the hearty interest and cordial cooperation of all citizens in furthering the project of a "Hudson Memorial Bridge," with a view to its completion for an appropriate celebration of that eventful day of September, 1609, when Hudson, on the "Half Moon," first sailed up the noble river now bearing his name, and laid the foundation for the imperial City of New York.

THE HUDSON TRI-CENTENNIAL ASSOCIATION.

(Copy.)

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

Gentlemen—The undersigned residents of The City of New York respectfully represent:

That the 12th day of September, 1909, will be the three hundredth anniversary of the discovery of the Hudson River by Hendrick Hudson.

That an event of such historic importance should be worthily commemorated by the City in an enduring memorial of usefulness and beauty.

That an opportunity exists of fitly signaling the great discovery of Hudson, and, at the same time, extending and improving our highway system, opening a great section for residential purposes and embellishing, while at the same time enriching our City.

That this opportunity is the construction of an artistic bridge across the Spuyten Duyvil creek from Inwood Heights to Spuyten Duyvil, the acquisition of a reasonable amount of land for park purposes on both ends of the bridge (if, indeed, the Spuyten Duyvil side is not already sufficiently imparked), and the suitable connection of such parks and bridge with the park driveway system of the City.

We respectfully call attention to the fact that this would constitute a superb and glorious extension of the Riverside drive and Boulevard Lafayette through the medium of the above described viaduct. A Boulevard of the Hudson would thus be created, perhaps the finest driveway in the whole world, while the material advantage to the City of such an improvement will, in a short term of years, pay for its expense.

Wherefore, the undersigned petition your honorable body to undertake the construction of this great public improvement, and to press the same to completion prior to the 12th day of September, 1909. And to that end we pray that a suitable appropriation be made at an early date for preliminary surveys, and the preparation of plans and estimates, and that a commission be appointed for the furtherance of the work.

(Signed) THOMAS POWELL FOWLER et al.

Dated New York, May 16, 1903.

The following resolution was offered:

Resolved, That, pursuant to the provisions of Section 47 of the Greater New York Charter, as amended by chapter 409, of the Laws of 1904, 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 ten thousand dollars (\$10,000), to provide means for preliminary surveys, borings and plans for a monumental bridge or viaduct, to be erected across the Spuyten Duyvil creek, connecting Inwood Heights, in the Borough of Manhattan, with Spuyten Duyvil Heights, in the Borough of The Bronx, and that 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 ten thousand dollars (\$10,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Corporation Counsel relative to the alteration of the original plan for the extension of Riverside drive in order to permit of the construction of pipe galleries along the easterly retaining wall of the drive for the accommodation of sewer and water pipes, etc., which was ordered on file:

LAW DEPARTMENT,
OFFICE OF THE CORPORATION COUNSEL,
NEW YORK, August 16, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—I am in receipt of the following communication from James W. Stevenson, Deputy Comptroller, bearing date April 18, 1904:

"I transmit herewith communication from the President of the Borough of Manhattan and report and memorandum of F. Stuart Williamson, Engineer, recommending that the original plan for the extension of Riverside drive be altered, in order to permit of the construction of pipe galleries along the easterly retaining wall of the drive, for the accommodation of sewers, water pipes, etc., together with a report of the Engineer of the Department of Finance relative thereto, which were presented to the Board of Estimate and Apportionment at a meeting held April 15, 1904, and referred to you for an opinion on the questions involved and the right of the City to issue bonds for the construction of pipe galleries."

I have carefully considered all the questions presented by the Borough President's letter, the reports of your Engineer and of the Consulting Engineer. Without elaborately discussing the serious questions presented therein, I deem it sufficient to advise you that I entertain such grave doubt of the legality of the proposed plan that I cannot advise you to make the alterations suggested.

Respectfully yours,

JOHN J. DELANY, Corporation Counsel.

CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN,
CITY HALL, March 22, 1904.

Hon. JAMES W. STEVENSON, Secretary to the Board of Estimate and Apportionment:

DEAR SIR—Herewith is transmitted for the consideration and approval of the Board of Estimate and Apportionment a report of the Consulting Engineer for the extension of Riverside drive, recommending that the plans originally approved by the Board of Estimate and Apportionment for the above named drive, pursuant to chapter 665 of the Laws of 1897, be altered in order to permit the construction of pipe galleries along the line of the easterly retaining wall of the drive for the accommodation of sewers, water pipes and electric light cables. This proposition to construct pipe galleries along the drive was first submitted, with plans, to the Board of Estimate and Apportionment on December 15, 1903, but nothing yet has been done in the matter, except to refer the question to the Comptroller for investigation and report. At the time when the question was first considered by the Engineer, it was thought that the galleries could be built without much additional expense, but, upon closer investigation it developed that the change in the plans providing for the construction of these galleries would entail an additional expense of about forty thousand dollars (\$40,000).

For the information of the Board, I wish to state that this department was recently enjoined by the Supreme Court from letting a contract for the construction of pipe galleries in conjunction with the underground railroad on Broadway, from Ann street to Morris street. The court held that the work of constructing pipe galleries properly came under the jurisdiction of the Department of Water Supply, Gas and Electricity, and that the authority of the Borough President in the matter of subsurface structures is limited wholly to sewers. It may be that the decision of the court is broad enough to prevent the construction of pipe galleries by this department along the extension of Riverside drive for all purposes excepting sewers.

Yours respectfully,

JOHN F. AHEARN, President.

No. 25 BROAD STREET, NEW YORK, February 6, 1904.

Hon. JOHN F. AHEARN, President, Borough of Manhattan, City Hall, New York City:

DEAR SIR—The present plans and specifications under which Riverside Drive Extension is being built provide for sewers, water supply and electric lighting, both for the present needs of the drive and also for future requirements, as the property adjoining is built up and developed.

The sewers and other pipes, as provided for under the contract, are to be built in the ordinary way, being laid under the roadways and sidewalks, as the case may be.

It occurred to me that if a pipe gallery could be built, in which all such pipes could be laid, and to which access for repairs and additions could be made without digging up and destroying the surface of roadways and walks, it would be a great advance in the construction of such work.

This suggestion has now been referred to the Comptroller's Engineer, and he is to make it the subject of a report.

It was my impression at the time that there would be a very small extra cost incurred in building such a pipe gallery, for the reason that it would be carried in and be made part of the east retaining wall of the drive.

On making careful drawings and estimates I find, however, that the additional cost of the pipe gallery for the entire extension of the drive, from One Hundred and Thirty-fifth to One Hundred and Fifty-eighth street, will be about forty thousand dollars (\$40,000). While this is a large sum in itself, yet, when considered in the light of the great benefits to be derived from a gallery, and in connection with the cost of the whole improvement of the drive, it is inconsiderable.

Mr. McLean, the Comptroller's Engineer, has asked me for further information with regard to the construction of this pipe gallery, and, before acceding to his request, I think it better to submit the whole matter for your consideration, which I respectfully do.

It may be that you will not approve of asking for any extra money to carry out this proposed change, preferring to leave the construction of sewers and water pipes as at present provided for in the contract.

If the change can be effected I believe it will be an up-to-date improvement, will give great satisfaction and will be in advance of anything hitherto built by the City.

Very respectfully,

(Signed) F. STUART WILLIAMSON,
Consulting Engineer, Extension of Riverside Drive.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
March 30, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—In reference to the accompanying letter from Hon. John F. Ahearn, President of the Borough of Manhattan, relating to proposed changes in the plans for the extension of Riverside drive, providing for the building of pipe galleries and of altering the location of the sewer, I have the honor to report as follows:

The first communication in reference to this matter was received from the Hon. Jacob A. Cantor, former President of the Borough of Manhattan, dated December 15, 1903, forwarding letter of Mr. F. Stuart Williamson, Consulting Engineer, in which he proposes to change the construction of the east retaining wall so as to provide a pipe gallery to contain water pipes and electric ducts, instead of placing the same under ground, as provided in the original plan; also placing the sewer upon a foundation of the same wall, in which Mr. Williamson suggests that these changes can be made without increasing the cost of the work.

After the first communication Mr. Williamson was requested to prepare detailed plans showing just how this pipe gallery would be constructed at points where there was no east wall, and how the sewer would be carried at those points; also to make a detailed estimate showing the amount of the several classes of work and their cost, which would be stricken out by this change in plan, and the amounts of the several classes, with their cost, which would be increased by the same.

The communication now received from the Hon. John F. Ahearn, President of the Borough of Manhattan, forwarding a second communication from Mr. F. Stuart Williamson, Consulting Engineer, in which the Consulting Engineer calls attention to the fact that after making careful plans and estimates he finds that the proposed changes will increase the cost of the driveway to the extent of about \$46,000.

The Borough President also calls attention to the recent decision of the Supreme Court, enjoining him from entering into a contract for the construction of pipe galleries in lower Broadway, and suggesting that this decision may have some bearing upon the proposition now before us.

The original plans of the extension of Riverside drive provide for the placing of the water pipes and the ducts for electric wires under the sidewalks laid in trenches in the usual manner, and the sewer constructed under the east side of the driveway.

The proposed pipe gallery in the plan now under consideration provides for constructing the retaining wall with a hollow section or chamber, and placing water pipes and electrical ducts in this chamber or gallery. The sewer is also moved over under the sidewalk and founded upon the retaining wall itself. Both the sewer and water pipes are in that way brought nearer to the house line.

Where the plans provide for no wall on the east side of the driveway it is proposed to construct a foundation of masonry for the sewer and pipe gallery, and to place the sewer and construct the pipe gallery upon this foundation.

It would seem desirable in constructing a driveway of this character to avoid, if possible, the necessity of tearing up the work after its completion in order to connect the various residences with a sewer and with a water supply and electric cables, and it is intended to carry the spurs of the sewer out to the face of the wall, so that connection can be made with the sewer without the tearing up of the surface of the driveway. If the plan can also be extended so as to make connection with the water pipes and electric wires without disturbing the surface, and this can be done at an increased cost of about \$46,000, the benefit so derived it would seem advisable to secure with this increased expenditure.

The contracts already approved by the Board of Estimate and Apportionment authorize the Borough President to make changes in the contracts and specifications in Clause E, page 20:

"(E). This contract and the specifications herein contained, and the plans hereafter referred to, may be modified and changed from time to time as may previously be agreed to in writing between the parties hereto, in a manner not materially affecting the substance hereof, or increasing materially the price to be paid, in order to carry out and complete more fully and perfectly the work herein agreed to be done and performed.

"No claim for extra work or materials shall be made by or allowed to the contractor, unless before the performance of such extra work the President shall have first authorized the same in writing, and the price or prices to be paid therefor shall first have been agreed upon in writing between the President and the contractor, and the same shall have been done or furnished under a written order from the President given before the performance of such extra work or the furnishing of such extra materials. The aggregate price to be paid for extra work or materials so authorized or ordered shall not exceed five per cent. (5%) of the contract price or total cost of the work and materials."

It would seem from these clauses that the President had the authority to make such change as he considered desirable, provided the cost of these changes did not exceed 5 per cent. of the total contract price or total cost of the work and materials, which in the present case would be in the neighborhood of \$158,000.

In regard to the decision of the Supreme Court to which attention is called in the President's letter, I would state that the present contract provides for a water supply system, paragraphs 325 to 358, inclusive, and the contractor is required under those paragraphs and specifications to furnish and lay pipes, special castings, etc., in the course of the construction of this driveway, and between paragraphs 359 and 376, inclusive, the specifications provide for the construction of an electric light system and the building of conduits, etc., for the carrying of the cables under ground.

As the President had authority to provide for this work, his authority undoubtedly would extend to the grouping of the same in a masonry chamber under such part of the driveway as he saw fit, and in that respect the present proposition would seem to differ entirely from the one to which attention is called by the Borough President, where the Supreme Court in "Dillon vs. Cantor" decided that the authority of the Borough President in the matter of subsurface structures is limited wholly to sewers.

This case was an action brought by a private party to restrain the former President of the Borough from building pipe galleries in lower Broadway in connection with the subway, and in the complaint the complainant states that the President of the Borough has no authority to let a contract for this work.

Judge Fitzgerald of the Supreme Court sustains this claim in the following opinion:

"Dillon vs. Cantor—Section 469 of the Greater New York Charter, subdivision 5, devolves upon the Commissioner of Water Supply, Gas and Electricity, the control, among other things, 'of the use and transmission of gas, electricity, pneumatic power and steam for all purposes in, upon, across, over and under all streets, roads, avenues, parks, public places and public buildings; of the construction of electric mains, conduits, conductors and subways in any such streets, roads, avenues, parks and public places.' Among the purposes of the contract, the proposed awarding of which by the President of the Borough it is sought to restrain, the following is set forth in the third paragraph of the specifications: '3. It is the intention of these drawings and specifications to provide for constructing of the galleries as shown for all pipes, electric wires and cables and all other subsurface structures, excepting sewers * * *'. The authority of the President of the Borough in the matter of subsurface structures is limited wholly to sewers (chapter 461, Laws 1901, sections 469, 528, 531; People ex rel. Consolidated Subway vs. Monroe, 85 App. Div. 542, affirmed 176 N. Y.). Motion granted. Settle order on notice. Purdy vs. Baker—Motion to resettle order granted. Submit order on notice. Given Manufacturing Company vs. Wiesen; Unmack vs. Siegel Cooper Company; Grimmer vs. Tenement House Department. Orders signed."

These cases, however, do not seem to be similar, as the President of the Borough has authority and has already provided in this contract for the building of sewers and furnishing and laying water pipes, and the furnishing of an electric lighting system for the driveway, the laying of ducts, etc.

The plans and estimates for the proposed change have been obtained from the Consulting Engineer, Mr. F. Stuart Williamson, and are forwarded herewith. The plans show generally how the pipes and sewer are to be taken care of for the entire length of the driveway and the estimates show in detail the increase in cost which the proposed change will make. These estimates are as follows:

EAST RETAINING WALL.

Section 2, with Pipe Gallery.

39,678 cubic yards of excavation, \$0.50.....	\$19,839 00
7,209 cubic yards of concrete, \$6.50.....	46,858 50
11,781 cubic yards of rubble, \$4.50.....	47,124 00
3,526 cubic feet granite coping, \$1.50.....	5,289 00
2,124 linear feet gas-pipe railing, \$2.....	4,248 00

120½ tons of water-pipe, \$35.....	4,217 50
2,634 linear feet 12-inch pipe to lay, \$0.50.....	1,317 00
176 linear feet 6-inch pipe to lay, \$0.50.....	88 00
4 tons of branches and special water-pipe castings, \$60.....	240 00
2,103 linear feet egg sewer, Class 2, \$5.25.....	11,040 75
293 linear feet circular sewer, Class 14, \$1.82.....	533 26
1,898 linear feet 6-inch pipe, Class 18, for sewer connections.....	1,898 00
15 manholes, with recess arches, \$75.....	1,125 00
3 drop-well manholes, \$125.....	375 00
391 cubic yards concrete with expanded metal, \$9.....	3,519 00
22,420 feet single duct vt. clay conduit, \$0.40.....	9,008 00
8 tons special castings for pipe gallery manhole covers, \$60.....	480 00
252 linear feet 1½-inch C 1 pipe for water pipe connections, \$0.18.....	45 36
	<hr/>
	\$157,245 37

EAST RETAINING WALL.

Section 2, Without Pipe Gallery.

25,859 cubic yards of excavation, \$0.50.....	\$12,929 50
2,741 cubic yards excavation for sewer, \$0.50.....	1,370 50
1,622 cubic yards excavation for water pipe, \$0.40.....	648 80
3,784 cubic yards concrete, \$6.50.....	24,596 00
13,208 cubic yards rubble, \$4.....	52,832 00
1,222 cubic yards dry rubble, \$4.....	4,888 00
5,565 cubic feet granite parapet, \$1.....	5,565 00
3,526 cubic feet coping, \$1.50.....	5,289 00
2,124 cubic feet gas pipe railing, \$2.....	4,248 00
120½ tons of water pipe, \$35.....	4,217 50
2,634 linear feet of 12-inch water pipe to lay, \$0.50.....	1,317 00
176 linear feet of 6-inch water pipe to lay, \$0.50.....	88 00
4 tons of branches and special water pipe castings, \$60.....	240 00
2,103 linear feet egg sewer, Cl. 2, \$5.25.....	11,040 75
293 linear feet circular sewer, Cl. 14, \$1.82.....	533 26
3,797 linear feet 6-inch pipe, Cl. 18, for sewer connections, \$1.....	3,797 00
15 oval pattern manholes, \$6.....	900 00
3 drop well manholes, \$100.....	300 00
12 brick manhole iron covers, \$125.....	1,500 00
60 service boxes, \$45.....	2,700 00
5,630 feet multiple 4 duct vt. clay conduit, \$1.....	5,630 00
2,436 linear feet 1½-inch cast iron pipe, for water pipe connections, \$0.18.....	438 48
	<hr/>
	\$145,068 79

EAST RETAINING WALL.

Sections 3 and 4, With Pipe Gallery.

31,792 cubic yards excavation, \$1.....	\$31,792 00
11,154 cubic yards concrete, \$6.50.....	72,501 00
11,288 cubic yards rubble, \$5.50.....	62,084 00
3,485 cubic feet granite coping, \$1.75.....	6,098 75
2,178 linear feet gas pipe railing, \$1.....	2,178 00
125½ tons of water pipe, \$35.....	4,392 50
2,788 linear feet 12-inch water pipe to lay \$0.50.....	1,394 00
88 linear feet 6-inch water pipe to lay, \$0.50.....	44 00
2 tons branches and special water pipe castings, \$70.....	140 00
2,042 linear feet egg sewer, Cl. 2, \$6.....	12,252 00
610 linear feet circular sewer, Cl. 14, \$2.40.....	1,474 00
1,897 linear feet 6-inch pipe, Cl. 18, for sewer connections, \$1.....	1,897 00
19 manholes, with recess arches, \$93.75.....	1,790 75
3 drop well manholes, \$250.....	750 00
23,056 feet single duct vt. clay conduit, \$25.....	5,764 00
10½ tons special castings for pipe gallery manholes, \$70.....	735 00
391 cubic yards concrete, with expd. metal, \$15.....	5,865 00
252 linear feet 1½-inch cast iron pipe, for water pipe connections, \$0.18.....	45 36
	<hr/>
	\$211,197 36

EAST RETAINING WALL.

Sections 3 and 4, Without Pipe Gallery.

14,540 cubic yards of excavation, \$1.....	\$14,540 00
3,241 cubic yards of excavation for sewer, \$1.....	3,241 00
1,624 cubic yards of excavation for water pipe, \$2.....	3,248 00
4,049 cubic yards of concrete, \$6.50.....	26,318 00
13,533 cubic yards rubble, \$5.50.....	74,431 50
722 cubic yards dry rubble, \$2.....	1,444 00
5,848 cubic feet granite parapet, \$2.....	11,696 00
3,591 cubic feet granite coping, \$1.75.....	6,284 25
2,228 linear feet gas pipe railing, \$1.....	2,228 00
125½ tons of water pipe, \$35.....	4,392 50
2,788 linear feet 12-inch water pipe to lay, \$0.50.....	1,394 00
88 linear feet 6-inch water pipe to lay, \$0.50.....	44 00
2 tons branches and special water pipe castings, \$70.....	140 00
2,042 linear feet egg sewer, Cl. 2, \$6.....	12,252 00
610 linear feet egg sewer, Cl. 14, \$2.40.....	1,464 00
3,796 linear feet 6-inch pipe, Cl. 18, for sewer connections, \$1.....	3,796 00
19 oval pattern manholes, Cl. A and B, \$75.....	1,425 00
3 drop well manholes, \$200.....	600 00
15 brick manholes, with iron covers, \$100.....	1,500 00
57 service boxes, \$60.....	3,420 00
5,459 feet multiple 4 duct vt. clay conduit, \$0.50.....	2,729 50
2,436 linear feet 1½-inch cast iron pipe, for water pipe connections, \$0.18.....	438 48
	<hr/>
	\$177,026 73

SUMMARY.

East Retaining Wall.

Length of whole drive, 6,482.1 feet.
Length of pipe gallery, 5,422 feet.

Section 2.

Length of section, 2,715.7 feet.
Length of pipe gallery, 2,634 feet.

Cost of Section 2 with pipe gallery.....	\$157,245 37
Cost of Section 2 without pipe gallery.....	145,068 79
Difference of cost.....	\$12,176 58

Cost per linear foot with pipe gallery.....	\$59 69
Cost per linear foot without pipe gallery.....	55 07
Difference of cost per linear foot.....	\$4 62

Sections 3 and 4.

Length of section, 3,666.4 feet.
Length of pipe gallery, 2,788 feet.

Cost of Sections 3 and 4 with pipe gallery.....	\$211,197 36
Cost of Sections 3 and 4 without pipe gallery.....	177,026 73
Difference of cost.....	\$34,170 63

Cost per linear foot with pipe gallery.....	\$75 75
Cost per linear foot without pipe gallery.....	63 50
Difference of cost per linear foot.....	\$12 25
Difference of cost on the whole drive.....	\$46,347 21

In my opinion the proposed changes made a desirable improvement in the present plan for this work, and I would recommend that the same be approved by the Board of Estimate and Apportionment.

Respectfully,
EUG. E. McLEAN, Engineer.

I think questions involved and the right of the City to issue bonds for pipe galleries ought to be submitted to Corporation Counsel.

EDWARD M. GROUT.

The Secretary presented the following communication from the Staten Island Water Supply Company, requesting to be notified of the date when the Board will consider the matter of an additional water supply for Staten Island, which was ordered on file:

OFFICE OF STATEN ISLAND WATER SUPPLY COMPANY,
No. 172 RICHMOND TERRACE,
WEST NEW BRIGHTON, S. I., September 7, 1904.

Hon. JAMES W. STEVENSON, Deputy Comptroller, Secretary, Board of Estimate and Apportionment, No. 280 Broadway, New York City:

DEAR SIR—We understand that the matter of a supply of water for Staten Island will come before the Board of Estimate in the near future, and we write to ask if the Board will kindly advise us when the matter is to come up and grant us a hearing, and beg to remain,

Very truly yours,
H. J. BRIGHTMAN, Secretary,
No. 50 Broadway, New York City.

The Secretary presented a communication from the Hon. Robert J. Wilkin, Justice of the Court of Special Sessions, Second Division, relative to the deficiency in the appropriation for the current year for said Court, and the Children's Court, in the Borough of Brooklyn, amounting to \$1,143.32.

Referred to the Comptroller.

The Secretary presented a communication from the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting an additional appropriation from some unexpended balance for the purpose of extending the concert season in the parks in said boroughs.

Referred to the Comptroller.

The Secretary presented a communication from the Justice of the Municipal Court, First District, Borough of Manhattan, asking for a transfer of \$32.86 from some unexpended balance to "Municipal Courts of The City of New York—Supplies and Contingencies."

Referred to the Comptroller.

The Secretary presented a communication from the District Attorney of the County of Richmond for an additional appropriation of \$1,000, for the purpose of hiring messengers and for an Assistant to examine complaints and draw complaints for the Court of Special Sessions, etc.

Referred to the Comptroller.

The Secretary presented the following communication from the Acting Tenement House Commissioner, relative to the transfer of \$2,799.96 to "Police Fund" for the year 1904:

TENEMENT HOUSE DEPARTMENT OF THE CITY OF NEW YORK,
No. 61 IRVING PLACE, SOUTHWEST CORNER EIGHTEENTH STREET,
NEW YORK CITY, July 25, 1904.

To the Honorable Board of Estimate and Apportionment, No. 280 Broadway, City:

GENTLEMEN—I would respectfully request that the transfer of moneys from the salary account of the Tenement House Department for the year 1904 be made to the Police Fund, in payment of salaries of policemen detailed for duty to the Tenement House Department, in the boroughs of Manhattan and Brooklyn, in accordance with the provisions of section 1344N, chapter 19A, Revised Charter of The City of New York, Laws of 1901.

The amount of said transfer represents the pay-rolls of the Police detailed to this Department, as follows:

March, 1904.....	\$711 47
April, 1904.....	688 51
May, 1904.....	711 47
June, 1904.....	688 51
Total.....	\$2,799 96

Yours truly,
JOHN F. SKELLY,
First Deputy and Acting Commissioner.

The following resolution was offered:

Resolved, That the sum of two thousand seven hundred and ninety-nine dollars and ninety-six cents (\$2,799.96) be and the same is hereby transferred from the appropriation made to the Tenement House Department for the year 1904, entitled "Salaries," the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Police Department for the same year, entitled "Police Fund," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the County Clerk of Kings County, relative to the transfer of \$2,000 to "Recopying and reindexing mutilated and worn-out judgment rolls, records and papers in suit, etc.":

COUNTY CLERK'S OFFICE, COUNTY OF KINGS,
HALL OF RECORDS,
BROOKLYN, N. Y., August 5, 1904.

The Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Application is hereby made for the transfer of the sum of two thousand dollars (\$2,000) from the fund designated "Remounting Maps" to the fund "Recopying and Reindexing Mutilated and Worn-out Judgment Rolls, etc."

This transfer is necessitated by reason of the demands that have been made on the Recopying and Reindexing Funds by the Commissioner of Records. I am,

Respectfully,
EDWARD KAUFMANN, County Clerk Kings County.

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 County Clerk, Kings County, for the year 1904 entitled "For Recopying and Remounting Maps," the same being in excess of the amount required for the purposes thereof, to the appropriation made to said County Clerk of Kings County, for the same year, entitled "For Recopying and Reindexing Mutilated and Worn-out Judgment Rolls, Records and Papers in Suit, etc.," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a request from the Corporation Counsel for a transfer of \$40,000 from any available fund to the appropriation made to the Law Department for the current year, entitled "Supplies and Contingencies, Including Deficiencies."

Referred to the Comptroller.

The Secretary presented the following resolution transferring the sum of \$500 to "Disbursements and Fees, under section 658, Code of Criminal Procedure," for New York County:

Resolved, That the sum of five hundred dollars (\$500) be and the same is hereby transferred from the appropriation made to the County of New York for the year 1904, entitled "Supplies for County Offices," the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said County of New York for the same year, entitled "Disbursements and Fees" (under section 658, Code of Criminal Procedure), the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Sinking Fund Commission, consenting to the transfer of \$950 to "Supplies and Deficiencies—Comptroller's Office":

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 25, 1904.

To the Board of Estimate and Apportionment:

GENTLEMEN—I transmit herewith a certified copy of resolution adopted by the Commissioners of the Sinking Fund at meeting held August 25, 1904, consenting to the transfer of the sum of \$950 from the appropriation made to the Commissioners of the Sinking Fund for the year 1904, entitled "Commissioners of the Sinking Fund, Expenses of," to the appropriation made to the Department of Finance for the same year entitled "Supplies and Contingencies—Comptroller's Office."

I also transmit herewith a copy of report made to the Comptroller by the Principal Assistant Engineer of the Department of Finance, which explains the necessity for the transfer.

Very truly yours,
N. TAYLOR PHILLIPS, Secretary.

(Copy.)

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—During the year 1904, there have been employed by the Department of Finance at various times, experts to report on matters referred by the Commissioners of the Sinking Fund to the Comptroller. The bills for such services have been paid out of the fund for "Supplies and Contingencies," Department of Finance, but in reality are a proper charge against the fund for "Commissioners of the Sinking Fund, Expenses of."

The several bills as paid and to be paid are as follows:

Gardner & Cox, naval architects, report on proposed boats for the Staten Island service	\$300 00
Cornelius G. Kolf, appraisal of St. George terminal	250 00
Conference and joint report	50 00
George W. Cornell, appraisal of St. George terminal. Conference and joint report	300 00
Bryan L. Kennelly, conference and joint report on St. George terminal ..	50 00
Total	\$950 00

I would therefore recommend that the Commissioners of the Sinking Fund authorize the payment of these bills and adopt a resolution approving of a transfer of \$950 from the fund "Commissioners of the Sinking Fund, Expenses of," to the fund "Supplies and Contingencies," Department of Finance, to reimburse the latter fund.

Respectfully,
(Signed) CHANDLER WITHINGTON,
Principal Assistant Engineer.

Resolved, That the Commissioners of the Sinking Fund hereby consent to the transfer of the sum of nine hundred and fifty dollars (\$950) from the appropriation made to the Commissioners of the Sinking Fund for the year 1904, entitled "Commissioners of the Sinking Fund, Expenses of," to the appropriation made to the Department of Finance for the same year, entitled "Supplies and Contingencies—Comptroller's Office."

A true copy of resolution adopted by the Commissioners of the Sinking Fund August 25, 1904.

N. TAYLOR PHILLIPS, Secretary.

The following resolution was offered:

Resolved, That the sum of nine hundred and fifty dollars (\$950) be and the same is hereby transferred from the appropriation made for the year 1904, entitled "Commissioners of the Sinking Fund, Expenses of," the same being in excess of the amount required for the purposes thereof, to the appropriation made to the Department of Finance for the same year, entitled "Supplies and Contingencies—Comptroller's Office," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Deputy and Acting Commissioner of Water Supply, Gas and Electricity, relative to the transfer of \$32,467.91 within the appropriations made to said Department for the year 1904:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
COMMISSIONER'S OFFICE, NOS. 13-21 PARK ROW,
CITY OF NEW YORK, August 20, 1904.

JAMES W. STEVENSON, Esq., Deputy Comptroller, and Secretary, Board of Estimate and Apportionment:

DEAR SIR—Very early this year it was apparent that some of the appropriations made to this Department for this year were insufficient for the purposes intended. I have refrained, however, from asking your Board to make any transfers from other appropriations to supplement these accounts until sufficient time had elapsed to enable me to determine from which accounts it would be possible to save the necessary amounts.

The appropriations that are insufficient and the amounts required are:

<i>Boroughs of Manhattan and The Bronx.</i>	
"Salaries—General Administration"	\$444 59
"Salaries—Central Office"	15,786 74
"Salaries—Bronx River Works, Maintenance and Repairs"	175 00
"Salaries—Lighting and Electricity"	5,098 69
"Salaries—Office of Deputy Commissioner, etc., The Bronx"	1,302 17
"Supplies and Contingencies"	5,000 00
	<hr/>
	\$27,807 19
<i>Borough of Queens.</i>	
"Salaries—Pumping Stations"	\$3,410 72
<i>Borough of Richmond.</i>	
"Supplies and Contingencies"	\$750 00
"Pumping Stations—Salaries and Supplies"	500 00
	<hr/>
	\$1,250 00

—which amounts may be taken, as follows, from:

<i>Boroughs of Manhattan and The Bronx.</i>	
"Salaries—Bureau of Chief Engineer"	\$1,000 00
"Maintenance—Croton Water System"	25,307 19
"Public Drinking Hydrants"	1,500 00
	<hr/>
	\$27,807 19
<i>Borough of Queens.</i>	
"Rentals of Fire Hydrants"	\$3,410 72
<i>Borough of Richmond.</i>	
"Rentals of Fire Hydrants"	\$1,250 00

I therefore request that your Board make the transfers indicated.

Respectfully,
FRANK J. GOODWIN,
Deputy and Acting Commissioner.

The following resolution was offered:

Resolved, That the sum of thirty-two thousand four hundred and sixty-seven dollars and ninety-one cents (\$32,467.91) be and the same is hereby transferred from the appropriations made to the Department of Water Supply, Gas and Electricity for the year 1904, entitled and as follows:

<i>Boroughs of Manhattan and The Bronx.</i>	
"Salaries—Bureau of Chief Engineer"	\$1,000 00
"Maintenance—Croton Water System"	25,307 19
"Public Drinking Hydrants"	1,500 00
<i>Borough of Queens.</i>	
"Rentals of Fire Hydrants"	3,410 72
<i>Borough of Richmond.</i>	
"Rentals of Fire Hydrants"	1,250 00
	<hr/>
	\$32,467 91

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

"Salaries—General Administration"	\$444 59
"Supplies and Contingencies"	5,000 00
<i>Boroughs of Manhattan and The Bronx.</i>	
"Salaries—Central Office"	\$15,786 74
"Salaries—Bronx River Works, Maintenance and Repairs" ..	175 00
"Salaries—Lighting and Electricity"	5,098 69
"Office of Deputy Commissioner and Water Register, Borough of The Bronx"	1,302 17
	<hr/>
	22,362 60
<i>Borough of Queens.</i>	
"Salaries—Pumping Stations"	3,410 72
<i>Borough of Richmond.</i>	
"Supplies and Contingencies"	750 00
"Pumping Stations—Salaries and Supplies"	500 00
	<hr/>
	\$32,467 91

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following resolution, transferring the sum of \$4,000 to "Special School Fund—Supplies," for the year 1902:

Resolved, That the sum of four thousand dollars (\$4,000) be and the same is hereby transferred from the appropriation made to the Department of Education, for the year 1902, entitled "Special School Fund—Fuel," the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department, for the same year, entitled "Special School Fund—Supplies," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Department of Education, relative to the transfer of \$9,309.45 to appropriations within said Department for the year 1904:

The Committee on Finance respectfully reports that the Committee on Supplies has requested, in writing, that the necessary steps be taken to procure certain transfers. In compliance with said request, the following resolution is submitted for adoption:

Resolved, That the Board of Estimate and Apportionment be and it is hereby respectfully requested to approve the following transfers:

Table with 2 columns: Item description and Amount. Items include Special School Fund transfers for various boroughs and compulsory education.

—which items are in excess of their requirements, to the item also contained within the Special School Fund for the current year, entitled "Compulsory Education," Borough of Manhattan, which item is insufficient for its purposes.

\$5,809.45 from the Special School Fund for the current year, and from the item contained therein entitled "Supplies"—Board of Education, which item is in excess of its requirements, to the items also contained within the Special School Fund for the current year, entitled:

Table with 2 columns: Item description and Amount. Items include Transportation for various boroughs.

—which items are insufficient for their purposes.

A true copy of report and resolution adopted by the Executive Committee of the Board of Education July 27, 1904.

FRED. H. JOHNSON, Assistant Secretary.

The following resolution was offered:

Resolved, That the sum of nine thousand three hundred and nine dollars and forty-five cents (\$9,309.45) be and the same is hereby transferred from the appropriation made to the Department of Education, for the year 1904, entitled and as follows:

Special School Fund.

Table with 2 columns: Item description and Amount. Items include Compulsory Education for various boroughs and Supplies.

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

Special School Fund.

Table with 2 columns: Item description and Amount. Items include Transportation for various boroughs.

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the President of the Board of Trustees of the Bellevue and Allied Hospitals relative to the transfer of \$6,500 within the appropriations made to said Department for the year 1904:

BELLEVUE AND ALLIED HOSPITALS, OFFICE OF THE BOARD OF TRUSTEES, BELLEVUE HOSPITAL, FOOT EAST TWENTY-SIXTH STREET, NEW YORK, August 9, 1904.

J. W. STEVENSON, Esq., Secretary, Board of Estimate and Apportionment, Finance Department, No. 280 Broadway, New York City:

DEAR SIR—I beg to inclose copy of a resolution adopted by the Board of Trustees at its meeting held on Wednesday, the 27th of July, 1904.

In the estimates for 1904 the Board of Trustees asked for an appropriation of \$11,000 for "Clothing for the Insane" and \$8,000 for "New Ambulances, Horses, Harness and Repairs." The Board of Estimate and Apportionment reduced the appropriation for "Clothing for the Insane" to \$8,000, and allowed us \$8,000 for "New Ambulances, Horses, Harness and Repairs."

The number of admissions to the psychopathic wards during the first six months of 1904 exceeded the number of 1903 by eighty-eight. Under the Insanity Law, we must provide each insane patient, who is transferred from this institution to the care of the State, with new clothing, consisting of one full suit of underclothing, and one full suit of outer clothing, including head wear, boots or shoes. Between the last day of October and the last day of March we much provide, in addition to the clothing already mentioned, an overcoat for the men patients, and a shawl or cloak for the women patients, and also gloves or mittens. I might add that the price of the clothing this year is higher than it was last year.

At the present time the Department is in need of five new horses. The price of the horses, also, is higher this year than it was last year. We have had an unusual number of repairs, and find that our appropriation is not sufficient, hence our request for the transfer of two thousand five hundred dollars from the salary appropriation to that of "New Ambulances, Horses, Harness and Repairs."

The Board of Trustees will be glad to be informed of the assent of the Board of Estimate and Apportionment to these transfers.

Respectfully,

JOHN W. BRANNAN, President, Board of Trustees.

The following resolution was offered:

Resolved, That the sum of sixty-five hundred dollars (\$6,500) be and the same is hereby transferred from the appropriation made to Bellevue and Allied Hospitals, for the year 1904, entitled "Salaries," the same being in excess of the amount required for the purposes thereof, to the appropriations made to said Bellevue and Allied Hospitals, for the same year, entitled and as follows:

Table with 2 columns: Item description and Amount. Items include Clothing for Insane Patients and New Ambulances, Horses, Harness and Repairs.

—the amounts of said appropriations being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Register of New York County, requesting the Board to recommend to the Board of Aldermen increases in the salaries of certain positions in his office, which was ordered on file.

The Secretary presented a request from the Register of New York County for an additional appropriation or a transfer of the sum of \$17,380.64 to pay the salaries of persons employed under the head of "General Administration."

Referred to the Comptroller.

The Secretary presented the following communication from the Fire Commissioner relative to the transfer of \$31,300 within the appropriations made to said Department for the year 1904:

HEADQUARTERS FIRE DEPARTMENT, CITY OF NEW YORK, NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, September 9, 1904.

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

Gentlemen—I have the honor, on recommendation of the Deputy Commissioner in charge of the boroughs of Brooklyn and Queens, to request that your Honorable Board authorize the transfer of the following amounts from appropriations made to this Department, boroughs of Brooklyn and Queens, for the year 1904, to-wit:

Table with 2 columns: Item description and Amount. Items include Salaries—Headquarters Pay-roll, Salaries—Bureau of Fire Marshal Pay-roll, Salaries—Hospital and Training Stables Pay-roll, Salaries—Engine and Hook and Ladder Companies Pay-roll.

—to the appropriation for the same boroughs and year, entitled, "Salaries—Bureau Chief of Department Pay-roll," the amount of which is insufficient.

From "Salaries—Engine and Hook and Ladder Companies Pay-roll," \$18,000 to the following appropriation for the same boroughs and year, to-wit:

Table with 2 columns: Item description and Amount. Items include Salaries—Repair Shops Pay-roll, Salaries—Fire Alarm Telegraph Pay-roll.

—the amounts of which are insufficient.

Yours respectfully,

NICHOLAS J. HAYES, Fire Commissioner.

The following resolution was offered:

Resolved, That the sum of thirty-one thousand, three hundred dollars (\$31,300) be and the same is hereby transferred from the appropriations made to the Fire Department, boroughs of Brooklyn and Queens, for the year 1904, entitled, and as follows:

Table with 2 columns: Item description and Amount. Items include Salaries—Headquarters Pay-roll, Salaries—Bureau of Fire Marshal Pay-roll, Salaries—Hospital and Training Stables Pay-roll, Salaries—Engine and Hook and Ladder Companies Pay-roll.

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

Table with 2 columns: Item description and Amount. Items include Salaries—Bureau of Chief of Department Pay-roll, Salaries—Repair Shops Payroll, Salaries—Fire Alarm Telegraph Pay-roll.

—the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Sheriff of Kings County requesting the transfer of \$2,900 to the account entitled "Salaries":

OFFICE OF THE SHERIFF OF KINGS COUNTY, COURT HOUSE, BOROUGH OF BROOKLYN, NEW YORK CITY, N. Y., September 6, 1904.

The Board of Estimate and Apportionment, New York City:

GENTLEMEN—I respectfully ask that the sum of \$2,900 be transferred from the unexpended balance of the "Maintenance Account for the Kings County Jail for the Year 1904" to the "Salary Account of the Sheriff of Kings County for the Year 1904," to make a sufficient amount for the salaries for this year.

Very truly yours,

HENRY HESTERBERG, Sheriff.

The following resolution was offered:

Resolved, That the sum of two thousand nine hundred dollars (\$2,900) be and the same is hereby transferred from the appropriation made to the Sheriff of Kings County for the year 1904, entitled "For Maintenance of Kings County Jail, Civil Prison, Women's Prison and Transportation Plant," the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Sheriff for the same year, 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a request from the Commissioner of Parks, Borough of The Bronx, for an emergency appropriation of \$15,000 to protect the channel of Cromwell's creek, in accordance with an order from the Supreme Court directing the City to dredge said creek from One Hundred and Sixty-first street to the Harlem river.

Referred to the Comptroller.

The Secretary presented the following report of the Auditor of Accounts, Department of Finance, relative to the claim of Edward I. Miller, for compensation for services rendered as Acting Deputy "Head" for the Department of Water Supply, Gas and Electricity, in the Borough of Richmond, from January 1 to May 6, 1902:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
June 30, 1904.

In the Matter
of

The application of Edward I. Miller to the Board of Estimate and Apportionment requesting payment to him of such sum as it may deem equitable, as compensation for services rendered as Acting Deputy "Head" of the Department of Water Supply, Gas and Electricity, in the Borough of Richmond, from January 1 to May 6, 1902, said application being made pursuant to chapter 252 of the Laws of 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Estimate and Apportionment has referred to you for investigation and report the application of Edward I. Miller for an allowance of a sum to him, pursuant to chapter 252 of the Laws of 1904, for services as Acting Deputy Chief of the Department of Water Supply, Gas and Electricity, in the Borough of Richmond, from January 1 to May 6, 1902.

The said Miller has filed in this Department a claim, No. 16,126, for \$1,040.32, for compensation for said services. He was examined at length in this Department, concerning said claim, and information from the Department of Water Supply, Gas and Electricity was secured.

Upon March 26, 1903, and January 5, 1904, this division reported upon said claim. In the former of said reports it was shown that said Miller alleged that he had been requested by Mr. J. Hampton Dougherty, Commissioner of Water Supply, Gas and Electricity, who took office on January 1, 1902, to remain in the Borough of Richmond as Acting Chief or Deputy in said borough in charge of Public Buildings, Lighting and Supplies, he having been held over from the position of Deputy Commissioner of Water Supply, in said Borough of Richmond, prior to 1902; that, in pursuance of said request, he had remained and performed the duties appertaining to said position, signing pay-rolls and granting permits in said capacity, and rendering services up to May 5, 1904; that at the time the Commissioner of Water Supply, Gas and Electricity was not authorized to appoint a Deputy Commissioner in said borough, unless provision should be made therefor by the Board of Estimate and Apportionment and the Board of Aldermen (section 452 of the Greater New York Charter); that by chapter 589 of the Laws of 1902, which took effect April 14, 1902, authority was given to the Commissioner to locate a branch office in said borough; that upon April 30, 1902, the Board of Estimate and Apportionment fixed the salary of an unnamed Deputy Commissioner of Water Supply, Gas and Electricity, Borough of Richmond, at \$2,500 a year; that one Scofield received compensation at said rate, for services as Deputy Commissioner in said borough, from and including May 6, 1902.

Upon said facts it was recommended that the advice of the Corporation Counsel be obtained in the matter.

Under date of December 30, 1903, the Corporation Counsel expressed the opinion that said Miller had no claim against the City for services rendered, and in pursuance of said advice, a report was made under date of January 5, 1904, recommending the disallowance of said claim.

The act referred to by Mr. Miller in his application to the Board of Estimate and Apportionment authorizes said Board, in its discretion, to take proof of the said claim and to allow and pay to him such sum as to it may seem just and equitable. In the payment of such sum, the Board is authorized to apply any unexpended balance of appropriation "heretofore made or moneys collected by the said Department of Water Supply, Gas and Electricity," and in case there shall be an insufficient amount, said Board is authorized to issue Special Revenue Bonds therefor.

It appears from the facts heretofore considered that said Miller actually rendered expert services to said Department during the period from January 1 to May 5, 1902; that he was not compensated therefor; that no other person was compensated for services as Deputy Commissioner in said borough during the said period, and that if the Board shall determine to allow compensation for said services, \$2,500 per annum (the rate of compensation fixed for the incumbent of said position from and after May 6, 1902), would be a fair measure therefor.

Respectfully,

JAMES F. MCKINNEY, Auditor of Accounts.

WM. ALLAIRE SHORTT, COUNSELLOR AT LAW,
NO. 32 BROADWAY,
NEW YORK, May 31, 1904.

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

DEAR SIR—At the last session of the Legislature a bill was passed and approved by the Mayor, authorizing the Board of Estimate and Apportionment to examine the claim of Edward I. Miller for services rendered as Acting Deputy head of the Department of Water Supply, Gas and Electricity, in the Borough of Richmond, from January 1 to May 6, 1902.

May I ask that the Board fix a time to inquire into this matter, and give me notice of a few days in order that I may bring the necessary witnesses. This matter was submitted to the Comptroller in 1903 and testimony was taken by him; and the only reason that the claim was not then paid was because of a technical obstacle which is removed by this statute. Perhaps the testimony taken then will suffice, unless the Board desires to have the witness produced for further examination.

On the 17th of May, 1904, the Borough Board of the Borough of Richmond passed the initial resolution required for macadamizing Castleton avenue, in the Borough of Richmond, from Bard avenue to Glen avenue. I represent nearly all the property-owners on the line of the proposed improvement, and desire an opportunity to be heard before the Board of Estimate and Apportionment when the matter comes up there. I should be extremely indebted to you if you would give me notice of that hearing also. I suppose that it will be published in the CITY RECORD; but where one has not a great many such matters it is a very onerous task to follow the published notices.

Respectfully yours,

W. A. SHORTT.

Before the Board of Estimate and Apportionment.

In the Matter

of

The Claim of Edward I. Miller.

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

The undersigned, Edward I. Miller, of the Borough of Richmond, hereby presents the following verified statement of his claim, pursuant to provisions of an act passed at the last session of the Legislature of the State of New York and accepted by The City of New York, entitled "An Act authorizing the Board of Estimate and Apportionment of The City of New York to take proof of and pay the claim of Edward I. Miller for compensation for services rendered the Department of Water Supply, Gas and Electricity."

The claimant avers:

That on or about the fourth day of February, 1898, the claimant was duly appointed Deputy Commissioner of Public Buildings, Lighting and Supplies in and for the Borough of Richmond. His salary in such office was \$3,000 per annum. By the Charter of 1901 the Department of Public Buildings was separated from that of Lighting and Supplies, and the Department of Water Supply was combined with the same under the title of Department of Water Supply, Gas and Electricity.

Prior to the said first day of January, 1902, the Deputy Commissioner for Richmond of the Department of Water Supply was Mr. Henry P. Morrison. On or about the first day of January, 1902, the Commissioner of said Department of Water Supply,

Gas and Electricity, duly appointed by the Mayor of The City of New York, was J. Hampden Dougherty; and said Commissioner requested the said Morrison and the undersigned to continue to discharge the duties of their respective offices so far as the same continued to exist in and for the Borough of Richmond until some one should be permanently appointed as Deputy Commissioner of Water Supply, Gas and Electricity for said borough; and said Commissioner promised and undertook that the said Morrison and the undersigned should be paid for their said services, and said Commissioner employed the claimant to perform said services. Thereafter the deponent continued to fulfill all the functions of Deputy Commissioner in the Borough of Richmond relating to public lighting, granting permits, signing and auditing pay-rolls and bills, and carefully inspected all bills for public lighting, resulting in the reduction of certain bills for such public lighting, with a saving of over \$12,000 to the City. That down to and including the fifth day of May, 1902, when George S. Scofield was appointed Deputy Commissioner for the Borough of Richmond, the undersigned attended at the office of said Department in the Borough of Richmond daily from 9 A. M. until 5 P. M. and faithfully attended to the public business, receiving and executing all communications and orders of the Commissioner and the Department, and his said services were reasonably worth the sum of \$1,040.32, which sum he claims to be justly due him.

The claimant is, and was at the time of his appointment to the office of Deputy Commissioner of Public Buildings, Lighting and Supplies, and at the time of his employment by the Commissioner of Water Supply, Gas and Electricity, an honorably discharged volunteer fireman.

That during each month of his services as above set forth the claimant's name appeared upon the pay-roll of the Department certified by him; but that no salary or other compensation of any kind for such services was then or has since been received by him from the City or any other person or corporation. That the claimant has never assigned or otherwise parted with his interest in the above claim, or any part thereof.

A copy of the act above referred to is hereto annexed.

Dated June 16, 1904.

EDWARD I. MILLER.

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

Edward I. Miller, being duly sworn, says: That he is the claimant above named; that he has read the foregoing statement and knows the contents thereof; that the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

EDWARD I. MILLER.

Sworn to before me this 17th day of June, 1904.

JOHN A. DRISCOLL,
Richmond County, N. Y.
Notary Public.

The following resolution was offered:

Resolved, That, pursuant to the provisions of chapter 252 of the Laws of 1904, the Board of Estimate and Apportionment hereby audits and allows as a proper charge against The City of New York the claim of Edward I. Miller for the sum of eight hundred and fifty-six dollars and seventeen cents (\$856.17), for services rendered as Acting Deputy "Head" of the Department of Water Supply, Gas and Electricity, in the Borough of Richmond, from January 1 to May 6, 1902; the same to be paid out of any unexpended balance of appropriations heretofore made or moneys collected by the said Department of Water Supply, Gas and Electricity, and in case the amount of such unexpended balance should be insufficient to pay said claim the Comptroller be and hereby is authorized, pursuant to the provisions of said act, to issue Special Revenue Bonds of The City of New York to the amount of eight hundred and fifty-six dollars and seventeen cents (\$856.17), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx and the President of the Borough of Queens—12.

The President of the Borough of Richmond not voting.

The Secretary presented the following report from the Auditor of Accounts, Department of Finance, relative to the claim of Norman S. Dike for costs and counsel fees incurred by him after the expiration of his term of office in defending actions and proceedings brought against him for his alleged acts of omission and misconduct in his official capacity:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 9, 1904.

In the Matter

of

Claim No. 31,663 of Norman S. Dike for reasonable costs and counsel fees incurred by him after the expiration of his term of office in defending actions and proceedings brought against him for his alleged acts of omission or misconduct in his official capacity.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Norman S. Dike, former Sheriff of the County of Kings, alleges that the sum of \$1,018.31 is due and owing to him as reasonable costs and counsel fees incurred by him after the expiration of his term of office in defending actions and proceedings brought against him for his alleged acts of omission or misconduct in his official capacity. Attached to said claim is the following itemized statement, purporting to show the titles of the actions brought against former Sheriff Norman S. Dike and the amounts of counsel fees and costs expended by him in each case:

SUPREME COURT—KINGS COUNTY.

Joseph Vollkommer against Norman S. Dike, as Sheriff of the County of Kings	\$253 60
Cary Manufacturing Company against Norman S. Dike, as Sheriff of the County of Kings	250 60
Jacob Neuberger against Norman S. Dike, as Sheriff of the County of Kings	256 01
Albert Ehlers against Norman S. Dike, as Sheriff of the County of Kings	258 10

William W. Wingate, on being examined before the Comptroller, testified that by profession he is an attorney and counsellor-at-law; that on December 30, 1902, he was appointed counsel to Norman S. Dike, Sheriff of Kings County, for a period of two years; that he is still acting as such; that the sum claimed, to wit: \$1,018.31, represents the amount of counsel fees and costs expended in defending actions brought against former Sheriff Dike; that all of said actions were defended during the year 1904; that the statement attached to the claim is a correct statement of the titles to the various actions and the amounts of the counsel fees and costs incurred in connection with each of them; that the action of Joseph Vollkommer against Norman S. Dike, as Sheriff of the County of Kings, was an action brought in the Supreme Court "For failure to levy and collect an execution;" that the case appeared on the Calendar in April, 1904; that after attending at the call of the Calendar for three days, the case was marked off the Calendar; that he obtained a stipulation placing the case back on the Calendar, and the case came on the May Calendar; that he attended at the Court every day for about a week, expecting the case to be called at any moment; that the case was finally reached; that he himself tried the case; that at the conclusion of the trial the Court stated that an important point of law was involved and requested the attorneys to consent that the same be taken from the hands of the jury and decided by himself; that at the request of the Court briefs were submitted by the respective attorneys; that the Court decided the first cause of action, which was the principal part of the case, in favor of the defendant; that several days were spent in preparation for trial, and in the exam-

ination of witnesses; that the sum of \$3.60 was expended for subpoena fees and serving the same; that he charged \$250 for the legal services rendered by him in connection with said case; that he considers such amount a reasonable fee.

Witness testified that the case of the Cary Manufacturing Company against Norman S. Dike, as Sheriff of Kings County, was an action brought in the Supreme Court "for an escape from the County limit;" that the action appeared on the January Calendar of this year; that he attended in Court every day for about a week waiting for the case to be reached; that the action was finally tried before a Judge and jury; that the Justice requested that the case be taken from the hands of the jury and given to him to decide, as an important point of law was involved; that it was, thereupon, stipulated between the respective attorneys that such be done; that at the request of the Court briefs were submitted; that the action was finally decided in favor of the defendant; that several days were spent by witness in the preparation of the brief; that several days were also spent in preparing for trial and in investigating the facts in connection with the case; that the charge of \$250.60 includes his fee of \$250 for legal services and disbursements of 60 cents for entering judgment; that the case of James Neuberger against Norman S. Dike, as Sheriff of the County of Kings, was an action brought in the Supreme Court upon two causes of action, one "For failure to levy and collect," and the other "For failure to pay over money already collected;" that the case came on the April Calendar of this year, and was dismissed on default; that witness made a motion opening the default; that the default was opened; that the case came on the day Calendar; that he attended Court for several days, waiting for the case to be reached; that the case was tried finally before the Court and jury, the trial occupying about a half a day; that the verdict was rendered in favor of the plaintiff; that witness entered into negotiations with the Surety Company on the bond of the Deputy Sheriff, whose action was responsible for the case being brought against Dike; that he then finally "obtained a settlement of the amount which the Surety Company paid on behalf of the Sheriff;" that the amount claimed in connection with this claim of \$256.01 includes the fee charged by him (\$250) for services rendered, and \$6.01 disbursements for serving the subpoena and the subpoena fee; that several days were spent by him in preparation of the Neuberger case for trial and in obtaining the necessary documentary evidence.

Witness testified that the action of Albert Ehlers against Norman S. Dike, as former Sheriff of Kings County, was an action brought in the Supreme Court against Dike "For failure to levy an execution;" that the case came on the day Calendar for trial; that he spent several days in Court waiting for the case to be reached; that the case was finally tried before a judge and jury, and a verdict rendered in favor of the plaintiff; that he spent additional time making investigations in the Law Library for the purpose of coming to the conclusion whether or not to take an appeal; that he finally decided not to appeal; that he then entered into negotiations with the Surety Company on the Deputy Sheriff's bond, and obtained a settlement "By which the amount was paid by the Surety Company on behalf of the Sheriff;" that the charge he made in connection with this case (\$258.10) includes his fee of \$250 for his professional services and \$8.10 disbursements for serving subpoena and subpoena fees; that when the case was on for trial he spent several days in preparation of the same for trial; that there is still another action, to wit, that of Hayden against Dike, which has not yet been tried; that this action also arose in connection with the official actions of Mr. Dike, and it will probably be reached for trial in October next.

Under date of August 2, 1904, in a report made by him upon this claim, William P. Riggs, an Examiner employed in this Department, stated that he finds that the actions in connection with the compensation is demanded were started against Norman S. Dike in the year 1902, and were "Closed in the year 1904;" that he has examined the books in the office of William W. Wingate, counsel for ex-Sheriff Norman S. Dike, and finds that the services were rendered by said Wingate as charged, and as specified in his testimony, and were all rendered in the year 1904.

It appears that the above claim is similar to Claim No. 25526, heretofore filed by Norman S. Dike for \$597.25, alleged to be the reasonable costs and counsel fees incurred by him as Sheriff of the County of Kings after the expiration of his term of office in defending actions and proceedings brought against him; that at his examination given before the Comptroller, in connection with this claim, William W. Wingate submitted a certified copy of the certificate filed in the office of the Clerk of the County of Kings by Norman S. Dike, Sheriff of the County of Kings, dated December 30, 1902, in which it was stated "by virtue of chapter 705 of the Laws of 1901, and not otherwise, I do hereby appoint William W. Wingate to the position of counsel to the Sheriff, in the office of the Sheriff of Kings County, to take effect on the 30th day of December, 1902."

It appears that Claim No. 26526 was in connection with the services rendered by Mr. Wingate as counsel to ex-Sheriff Dike during the year 1903, and said claim was filed under chapter 705 of the Laws of 1901, which provides that after the expiration of the term of office of each Sheriff of the County of Kings, the Board of Estimate and Apportionment is hereby authorized to audit and allow as charges against the said City the reasonable costs or counsel fees paid or incurred by the said Sheriff after the expiration of his term of office in prosecuting any actions or proceedings brought by or against him for any acts of omission or misconduct in his official capacity, by virtue of the color of his office, and that said sum so audited and allowed shall not exceed \$5,000 for any one year, or to be audited and allowed for a longer period than two years after the expiration of the said term of office.

In the report made on said Claim No. 25526 by the Auditing Bureau, Division of Law and Adjustment of this Department, under date of February 3, 1904, it was stated that if said claim be valid, the sum of \$597.25 would appear to be a reasonable allowance for the services alleged to have been rendered, and it was respectfully recommended that the report be transmitted to the Corporation Counsel for his advice concerning the legal liability of the City in the premises.

In a communication transmitted to the Comptroller, dated March 4, 1904, the Corporation Counsel stated in reference to said claim that "I am of the opinion that these are legal charges against the City, and that it is the duty of the Board of Estimate and Apportionment to audit and allow such charges if, in its judgment, they are reasonable as to amounts." In view of the opinion of the Corporation Counsel, it was recommended that the report upon said claim be transmitted to the Board of Estimate and Apportionment for its information, and for such action as it deems advisable. Claim No. 25526, of Norman S. Dike, was therefore subsequently adjusted at the sum demanded, to wit, \$597.25, and paid at such amount.

It appears that on July 7, 1903, chapter 464 of the Laws of 1903 became a law. Section 1 of said act amends section 2 of chapter 705 of the Laws of 1901, entitled "An Act to make the office of the Sheriff of the County of Kings a salary office, and regulating the managing of said office." Said act contains provisions similar to those of chapter 705 of the Laws of 1901, respecting the allowance to be made by the Board of Estimate and Apportionment of The City of New York, for the reasonable costs and counsel fees paid or incurred by the Sheriff of Kings County after the expiration of his term of office, prosecuting or defending any action or proceeding brought by or against him for any alleged act of omission or misconduct in his official capacity, by virtue or color of his office.

It would therefore appear that the claim in question, to wit, No. 31662, is a valid charge against The City of New York to the extent of the amount which would be a reasonable sum incurred by Norman S. Dike for counsel fees and costs in defending the aforesaid actions and proceedings brought against him for his alleged acts of omission in his official capacity. The amount of the claim, to wit, \$1,018.31, would seem, in view of all the circumstances, to be a reasonable sum at which to adjust said claim.

It is respectfully recommended that this report and the other papers in the case be transmitted to the Board of Estimate and Apportionment for its information, and for such action it may deem advisable.

Respectfully,

JEREMIAH T. MAHONEY, Auditor of Accounts.

Approved:

JAMES F. MCKINNEY, Chief of Division.

Approved:

J. W. STEVENSON, Acting Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment, pursuant to the provisions of chapter 464 of the Laws of 1903, hereby audits and allows as a charge against The City of New York the claim of Norman S. Dike for the sum of ten hundred and eighteen dollars and thirty-one cents (\$1,018.31), alleged to be the reasonable costs

and counsel fees incurred by him as Sheriff of the County of Kings after the expiration of his term of office in defending actions and proceedings brought against him.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Auditor of Accounts, Department of Finance, relative to the claim of Rachael L. Bartlett for \$500 as compensation alleged to be due her as Librarian in the office of the District Attorney for the County of New York, from the 1st of July, 1901, to the 31st of December, 1901:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 23, 1904.

In the Matter

of

Claim No. 30904 of Rachel L. Bartlett for \$500, compensation alleged to be due her as Librarian in the office of the District Attorney of the County of New York from the 1st of July, 1901, to the 31st of December, 1901.

Hon. EDWARD M. GROUT, Comptroller:

SIR—In a communication signed by Joseph J. Little, addressed to the Comptroller and dated the 23d of May, 1904, transmitted herewith, it is stated that "through the disaster to the Northfield three years ago General Charles G. Bartlett, then Librarian to the District Attorney, lost his life, and as he was a comrade of Lafayette Post No. 140, Grand Army of the Republic, the Post, in consideration for his widow, secured from District Attorney Philbin her appointment to fill the vacancy caused by the death of her husband;" that "the position of Librarian was then covered by Civil Service rules, under which she could not pass the examination, in fact, few lawyers could;" and that efforts were then begun by the Post to have the office made exempt, which was accomplished, but Mrs. Bartlett had rendered six months' service for which there were no funds available to remunerate her.

Attached to the said communication was an affidavit made by Eugene A. Philbin the 18th day of May, 1904, alleging that he was District Attorney in and for the County of New York from and including the 26th day of December, 1900, up to and including the 31st day of December, 1901, and that "on or about the 1st day of July, 1901, I appointed Rachael L. Bartlett Librarian in the office of the District Attorney of said county, and that services were rendered by her as such Librarian at my request as District Attorney of said County from the said 1st day of July, 1901, to and including the 31st day of December, 1901."

Upon being examined before the Comptroller Rachael L. Bartlett testified that on the 1st day of July, 1901, she was appointed by the District Attorney of the County of New York as Librarian in his office at a salary of \$1,000 per year; that in consequence of that appointment she entered upon the duties of the office of Librarian on the 1st of July, 1901, and performed all the duties of such Librarian, attending regularly during all the office hours; that she was not paid for such service from the period beginning on the 1st of July, and ending on the 31st of December, 1901; that her name was on the pay-roll during the whole of that period, but that the Municipal Civil Service Commission failed to certify the said pay-roll; and that such service as Librarian during the period in question were rendered by her faithfully at the request of the District Attorney.

From the pay-rolls of the office of the District Attorney of the County of New York it appears that during the period from the 1st of July, 1901, to and including the 31st of December, 1901, Rachael L. Bartlett appears thereon as Librarian with compensation at the rate of \$83.33 per month, but that the said amount during the said six months was deducted by the Municipal Civil Service Commission and was not paid.

From the report of Examiner James J. Cooks, of the Division of Law and Adjustment of this Department, it appears that the claimant was appointed Librarian on the 1st of July, 1901, and a special examination was asked for, but that the claimant failed in the examination; that in March, 1902, the position of Librarian was taken from the classified service and put in the exempt class; that Auditor Buckley, of the District Attorney's office, stated that Mrs. Bartlett performed service as Librarian from July 1, 1901, to December 31, 1901, both inclusive, without pay, and that, attached to the pay-roll for July, 1901, was a statement signed by Eugene A. Philbin, District Attorney, that Rachael L. Bartlett was appointed Librarian with compensation at the rate of \$1,000 per annum take effect July 1, 1901.

Chapter 516 of the Laws of 1904, provides "that the Board of Estimate and Apportionment of The City of New York is authorized in its discretion to examine into the facts concerning the services rendered by Rachael L. Bartlett to the County of New York from July 1, 1901, to December 31, 1901, as Librarian in the office of the District Attorney of said County, and if they find that the services were rendered by her at the request of the District Attorney of the said County, the Board of Estimate and Apportionment is authorized to allow her claim at the rate now paid her for similar services in the same employment, to wit: \$1,000 per annum;" and that "upon such allowance by the Board of Estimate and Apportionment the Comptroller of The City of New York shall cause the amount necessary to pay such claim to be paid from any unexpended balance of appropriations heretofore made and now in the hands of the Comptroller of The City of New York, and in case the amount of such unexpended balances shall be insufficient to pay such allowance, then said Board of Estimate and Apportionment may include the amount of such allowance or such part thereof as shall remain unpaid, in the tax levy for the year 1904 to be raised and paid in the manner required by law."

It would appear from the foregoing that this claimant did render services as such Librarian in the office of the District Attorney of the County of New York at the request of the District Attorney, from the 1st of July, 1901, to the 31st of December, 1901, both inclusive, and that if she were paid at the rate of \$1,000 per annum, as provided in the said enactment, she would be entitled to the sum of \$500, and the Board of Estimate and Apportionment would be justified in settling her claim in that amount.

It is, therefore, respectfully recommended that this report be transmitted to the Board of Estimate and Apportionment for such action in the premises as it may deem proper.

Respectfully,

JOS. L. HANCE, Auditor of Accounts.

Approved:

JAMES F. MCKINNEY, Chief of Division.

The following resolution was offered:

Resolved, That, pursuant to the provisions of chapter 516 of the Laws of 1904, the Board of Estimate and Apportionment hereby audits and allows as a proper charge against the County of New York, the claim of Rachael L. Bartlett, for five hundred dollars (\$500), for services as Librarian in the office of the District Attorney of the County of New York.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Auditor of Accounts, Department of Finance, relative to the claim of Joseph Daniels for the balance of salary alleged to be due him for services rendered, as Map Custodian in the office of the Register of Kings County during a period from April 13, 1902, to and including December 30, 1902:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
July 22, 1904.

In the Matter
of

Claim No. 31351, of Joseph Daniels for a balance of salary alleged to be due to him for services rendered by him as a Map Custodian in the office of the Register of Kings County during the period from April 13, 1902, to and including October 20, 1902.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The claim of Joseph Daniels is for compensation for the period from April 13, 1902, to and including October 20, 1902, when he was employed as a Map Custodian in the office of the Register of Kings County.

In a communication addressed to this Department under date of March 3, 1904, John K. Neal, Esq., Register of Kings County for the years 1902 and 1903, stated that claimant Daniels served in the position of Map Custodian under Register Howe, who preceded the writer in that office; that he was reappointed by the writer upon his accession to office on January 1, 1902; that claimant served in this position until April 12, 1902, after which time he was not recognized by the State Civil Service Commission as an employee of the Register's office; that Mr. Daniels, however, reported daily to the Deputy Register, signifying his willingness to discharge the duties of Map Custodian, and did what was required of him; that he continued to do this until October 21, 1902, when he was again recognized by the State Civil Service Commission as an employee of the Register's office; that he has continued in this position until the present time.

From an examination of the pay-rolls of the office of the Register of Kings County it appears that on and prior to April 12, 1902, the claimant was on said rolls as Custodian, in receipt of a compensation of \$1,000 per annum; that for the period up to the above date he was paid in full at such rate for the services rendered by him; that during the period from April 13, 1902, to and including October 20, 1902, he is not on the rolls of said office; that from and after October 20, 1903, he is again on the rolls as Custodian, in receipt of a compensation of \$1,000 per annum.

If, therefore, claimant is entitled to compensation for the period from April 13, 1902, to and including October 20, 1902, when he was not on the rolls of the Register of Kings County, the amount thereof would be the sum of \$520.45.

It appears that at the last session of the Legislature there was passed chapter 503 of the Laws of 1904, known as "An act for the relief of Joseph Daniels." This act provides that the Board of Estimate and Apportionment of The City of New York is authorized and empowered, in its discretion, to examine into the facts concerning the services claimed to have been rendered by Joseph Daniels in the office of the Register of Kings County during the year 1902, pending the determination of the classification of the position of Map Custodian in said office, and also to audit and allow said claim, or such portion thereof as the Board may deem just and equitable, but not exceeding in the aggregate the sum of \$529.

In a communication dated May 27, 1904, addressed by him to the Board of Estimate and Apportionment, John K. Neal, Register of Kings County during the years 1902 and 1903, stated that upon assuming the office of Register of Kings County on January 1, 1902, he continued in the position of Map Custodian Joseph Daniels, who had served in this capacity during the time of his predecessor, James R. Howe; that the State Civil Service Commission agreed to the "provisional appointment pending the preparation of an eligible list for this position"; that the question of classification was carried into the courts; that pending the determination of the question, Mr. Daniels reported daily at the office and was willing and ready at all time to discharge the duties of the position of Map Custodian; that no one was appointed in his place; that the money appropriated by the Board of Estimate and Apportionment for the salary of Map Custodian was, at the end of the year, returned to the City.

It also appears that on October 31, 1902, John K. Neal, Register, addresses to the State Civil Service Commission a communication, a copy of which is herewith transmitted, in which he stated that Joseph Daniels was appointed Map Custodian by him on January 1, 1902, and served as such until April 12, 1902, when his services, by direction of the Commission, ceased, it being held that such position was in the Competitive Class, and that an eligible list was ready for the position; that the matter of the classification of said position was taken into the courts and argued before Mr. Justice Gaynor on June 26, 1902; that the Justice handed down a decision declaring the position held by Daniels to be in the Exempt Class; that the State Civil Service Commission appealed from this decision; that the matter "is now pending before the Appellate Courts"; that he is advised by Daniels' attorneys that the Attorney General has entered into a stipulation agreeing that Daniels shall receive his pay as Custodian until the matter is finally settled by the courts; that since April 12, 1902, Daniels has reported regularly at the office of the Register, ready and willing to perform any and all duties that might be required of him.

In said communication, Register Neal requests the State Civil Service Commission to inform him if it is its understanding that Daniels is to be paid from April 12, 1902, until final settlement of the case.

Herewith transmitted is the answer to said communication, signed by John C. Birdseye, Secretary, State Civil Service Commission, in which the latter states, in reply to the Register's inquiry, that it is his opinion that it is for the Register to decide whether or not Daniels has been actually employed since April 12, 1902; that if Daniels has not been employed, he fails to see how the Register can place his name on the pay-rolls and certify the same; that assuming that Daniels has a right to be employed, he might have an action for damages, but it would seem as though he could not claim pay if work was not actually performed; that if a pay-roll bearing Daniels' name is received from the Register by the State Civil Service Commission, he does not think it would be the duty of the Commission "to question your certificate."

On being examined under oath, before the Comptroller, under date of June 16, 1904, Joseph Daniels testified that he received his original appointment in the office of the Register of Kings County in 1900; that he was reappointed by Register John K. Neal when the latter came into office in January, 1902; that his notice of appointment by Register Neal was verbal; that during Mr. Howe's term of office, he was paid at the rate of \$900 per annum; that the title of his position was that of Map Custodian; that his duties consisted in "taking care of the maps and indexes, handing out maps to those who required them and putting them back in their proper places; giving all the assistance I could to the public, in getting any maps it required"; that his hours of duty were from 9 to 4, with the exception of every four weeks, he remained from 9 to 5; that his duties continued to be such as above described during Mr. Neal's term of office; that from and after April 12, 1902, to the end of the period of his claim, the State Civil Service Commission held that the position of Map Custodian was in the Competitive Class; that witness claimed the position was in the Exempt Class; that in the judicial proceeding brought to determine this question, Justice Gaynor decided the position to be in the Exempt Class; that Justice Gaynor was sustained by the Appellate Division; that upon appeal to the Court of Appeals, however, it was decided that the action "was brought in the wrong way by mandamus and it should have been brought by certiorari"; that he was not paid for the period from April 12 to October 21, 1902, although during this period he continued to render services of a nature similar to those rendered by him prior to April 12, 1902; that on every day during this period he reported to the Deputy Register and did all the work required of him; that it was at the request of the Register and Deputy Register of Kings County that he reported for duty during that period; that on October 21, 1902, "the Civil Service Commission sent word that it would put us back on the book as I was before April 12, after Mr. Neal had seen the State Civil Service Commission to classify me and I have been employed in the same position ever since."

It would therefore appear that on and prior to April 12, 1902, claimant was upon the pay-rolls of the Office of the Register of Kings County as a Custodian, in receipt of a compensation of \$1,000 per annum; that he was paid in full for the services rendered by him up to the above date; that during the period, however, from April 13 to and including October 20, 1902, he was not on the pay-rolls and received no compensation, although during this period, as would appear from the statements of former Register Neal, claimant rendered services during that period of a nature similar to those rendered by him prior to April 12, 1902.

The decision of the Appellate Division, referred to in claimant Daniels' testimony as favorable to his contention that his position was in the exempt class, is that of The People ex rel. Daniels vs. Collier et al., 82 App. Div., 644. The decision referred to in Daniels' testimony as having the effect of reversing the decision of the Appellate Division, is that of The People ex rel. Simms vs. Collier et al., 175 N. Y., 196. A question also arises whether or not chapter 503 of the Laws of 1904 is unconstitutional, in view of section 10 of article 8 of the State Constitution, which provides that "No county, city, town or village shall hereafter grant any money or property, or loan its money or credit to, or in aid of, any individual, association or corporation," and of section 28 of article 3, providing "The Legislature shall not, nor shall the Common Council of any city, nor any Board of Supervisors, grant any extra compensation to any public officer, servant, agent or contractor."

The opinion of the Corporation Counsel, rendered on June 10, 1904, in the matter of the Claim No. 27044 of Alvin Boody, for compensation at the rate of \$3,000 per annum for services rendered by him as Superintendent of Supplies and Repairs, in the Department of Parks, Boroughs of Brooklyn and Queens, from August 10, 1899, to December 7, 1899, would seem to decide the above question favorably to claimant.

In view of the foregoing it is respectfully recommended that the claim in question be adjusted at the sum of \$520.45.

It is further respectfully recommended that this report be transmitted to the Board of Estimate and Apportionment for its action, pursuant to the provisions of chapter 503, Laws of 1904.

Respectfully,

JEREMIAH T. MAHONEY, Auditor of Accounts.

Approved:

JAMES G. MCKINNEY, Chief of Division.

Approved:

N. TAYLOR PHILLIPS, Deputy and Acting Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment, pursuant to the provisions of chapter 503 of the Laws of 1904, hereby audits and allows as a charge against the County of Kings, the claim of Joseph Daniels for the sum of five hundred and twenty dollars and forty-five cents (\$520.45), for balance of salary alleged to be due for services rendered by him as a Map Custodian in the Office of the Register of Kings County, during the period from April 13 to October 20, 1902, and the Comptroller be and hereby is authorized to issue Revenue Bonds of The City of New York to the amount of five hundred and twenty dollars and forty-five cents (\$520.45), to provide means for the payment of said claim, pursuant to said chapter 503 of the Laws of 1904.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the President of the Borough of The Bronx, requesting an additional appropriation of \$5,000 for the completion of the bridge across the Bronx river and the approaches to the bridge to be erected by the New York and Harlem Railroad over its tracks at East Two Hundred and Thirty-third street, Borough of The Bronx:

THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX,
MUNICIPAL BUILDING, CROTONA PARK,
September 2, 1904.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Request is hereby made for an additional appropriation of \$5,000, necessary to continue the work "in the construction of the bridge across the Bronx river and the approaches to the bridge to be erected by the New York and Harlem Railroad over its tracks at East Two Hundred and Thirty-third street, in the Borough of The Bronx."

The contract for above work was awarded to the lowest bidder for the sum of \$71,462, and from the present indications the margin remaining between that sum and the appropriation of \$75,000 will be insufficient to pay the cost of engineering and inspection, and the amount requested, viz.: \$5,000, will be needed for the purposes stated during the continuation of said work.

Respectfully,

LOUIS F. HAFFEN,

President of the Borough of The Bronx.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, the Board of Estimate and Apportionment hereby approves of the issue of Corporate Stock in the sum of five thousand dollars (\$5,000), in addition to the sum heretofore authorized, to provide means for the completion of the bridge across the Bronx river and the approaches to the bridge to be erected by the New York and Harlem Railroad over its tracks at East Two Hundred and Thirty-third street, in the Borough of The Bronx, and that 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 the amount of five thousand dollars (\$5,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Private Secretary of the President of the Borough of Brooklyn, requesting an appropriation of \$2,774 for the purpose of fitting up rooms in premises recently leased at Third avenue and Fifty-third street, Borough of Brooklyn, for the Fifth District Municipal Court, in said borough.

Referred to the Comptroller.

The Secretary presented a request from the President of the Borough of Richmond for the fixing of certain salaries of positions under his jurisdiction.

Laid over.

The Secretary presented a request from the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting the fixing of the salary of the position of Ste-nographer and Typewriter in his department at the rate of \$1,200 per annum.

Laid over.

The Secretary presented a resolution of the Board of Aldermen requesting the fixing of the salary of the position of Custodian in the office of the City Clerk at the rate of \$2,000 per annum.

Referred to the President of the Board of Aldermen.

The Secretary presented the following communication from the Supervisor of the City Record, requesting the fixing of the salary of the position of Clerk in his office at the rate of \$1,200 per annum:

THE CITY OF NEW YORK,
BOARD OF CITY RECORD, OFFICE OF THE SUPERVISOR,
August 1, 1904.

The Honorable the Board of Estimate and Apportionment, No. 280 Broadway, New York:

GENTLEMEN—At a meeting of the Board of City Record held June 28, 1904, the following resolution was adopted:

Resolved, That Henry Meyer, of No. 262 Division street, Manhattan, who has been duly certified by the Municipal Civil Service Commission as eligible for such position, be and he hereby is appointed to the position of Clerk with a knowledge of bookkeeping in the office of the Supervisor of the City Record, said appointment to take effect, subject to the provisions of section 2, Rule XI, of the Municipal Civil Service Rules and Regulations, on July 5, 1904, the rate of compensation for such services to be twelve hundred dollars per annum.

Pursuant to the provisions of section 56, Greater New York Charter, I respectfully ask that your Honorable Board recommend to the Board of Aldermen that the salary of Henry Meyer, of No. 262 Division street, Manhattan, appointed Clerk with a knowledge of bookkeeping in the office of the Supervisor of the City Record, be fixed at the rate of \$1,200 per annum, dating from July 5, 1904.

Respectfully submitted,

PATRICK J. TRACY, Supervisor City Record.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of Clerk in the office of the Supervisor of the City Record be fixed at the rate of twelve hundred dollars (\$1,200) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Department of Docks and Ferries, requesting the fixing of the salary of the position of Clerk in said Department at the rate of \$3,000 per annum:

DEPARTMENT OF DOCKS AND FERRIES OF THE CITY OF NEW YORK,
PIER "A," NORTH RIVER,
NEW YORK, August 4, 1904.

Hon. JAMES W. STEVENSON, Secretary, Board of Estimate and Apportionment:

SIR—I beg to advise that, pursuant to certification received from the Municipal Civil Service Commission, the salary of James Weir, Clerk in this Department, has this day been fixed at the rate of \$3,000 per annum, subject to the approval of the Board of Estimate and Apportionment and the Board of Aldermen.

Mr. Weir was appointed in this Department on October 23, 1872, and has therefore been in the service of the city for almost thirty-two years. He has always performed his duties in a highly satisfactory manner, and now has charge of all Apportionment Accounts and of all employees engaged in connection with the records of the cost of construction and repair work done by the Department.

His present salary of \$2,400 per annum is entirely inadequate for the character of work performed, and he has not received any advance in salary during the past fourteen years.

I, therefore, respectfully request that the Board of Estimate and Apportionment recommend to the Board of Aldermen the establishment of the position of Clerk for this Department, with salary at the rate of \$3,000 per annum.

Yours respectfully,

(Signed) MAURICE FEATHERSON, Commissioner.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of Clerk in the Department of Docks and Ferries be fixed at the rate of three thousand dollars (\$3,000) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Department of Docks and Ferries, requesting the establishment of the position of Foreman of Yards, with salary at the rate of \$1,800 per annum:

DEPARTMENT OF DOCKS AND FERRIES OF THE CITY OF NEW YORK,
PIER "A," NORTH RIVER,
NEW YORK, August 31, 1904.

Hon. J. W. STEVENSON, Secretary, Board of Estimate and Apportionment:

SIR—There are in the employ of this Department at the present time two persons holding the title of "Foreman of Yard," Robert M. Sterrett and Edward T. DuBois, who receive a salary of \$1,500 per annum. After an examination of the work performed by these two men, I am thoroughly convinced that they are not sufficiently compensated; I therefore desire to increase their salary to \$1,800 per annum.

Mr. Sterritt was appointed in this Department on July 8, 1872, and Mr. DuBois on June 9, 1889, the former being assigned at the West Fifty-seventh Street Yard, on the North river, and the latter at the East Twenty-fourth Street Yard, on the East river. In their capacity of Foremen it is their duty to keep an accurate account of all material received or distributed at the yard, they are responsible for the correctness of the pay-roll of the Department in so far as it applies to the men at the yards, they are responsible for the care of the Department's enormous plant, which when not in commission is tied up at the yards; in general, as their title would imply, they are responsible for the orderly and proper handling of the business at the yards. These duties have during the past few years enormously increased owing to the general increase in the business of this Department.

I would therefore respectfully request that the Board of Estimate recommend to the Board of Aldermen the establishment of the position of "Foreman of Yard" for this Department, with compensation at the rate of \$1,800 per annum.

Yours respectfully,

MAURICE FEATHERSON, Commissioner.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of "Foreman of Yard" in the Department of Docks and Ferries, be fixed at the rate of eighteen hundred dollars (\$1,800) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Chief Engineer of the Board of Estimate and Apportionment, relative to the promotion of two Axemen to the position of Rodman, with salary at the rate of \$1,050 per annum:

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER, No. 277 BROADWAY,
NEW YORK, September 1, 1904.

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

SIR—On March 18, 1904, the Board of Estimate and Apportionment adopted a resolution requesting the Civil Service Commission to grant Messrs. William A. Sherry and William V. Barnes, who are now employed as Axemen on the work of triangulating the City, an examination for promotion to the position of Rodman. On April 4 the Secretary of the Civil Service Commission advised me that the Commission had at the meeting of March 30, approved of the request, and had ordered him to "arrange for the examination at the earliest possible date." Blank copies for indicating the record of the candidate for promotion were forwarded me, and were promptly filled out and returned on April 5. Since that time nothing has been heard of the examination for promotion. On May 26, however, there was a general examination for Rodmen and Chainmen. Both Messrs. Sherry and Barnes took this examination and passed, their names being upon the eligible list.

In view of the fact that, although a special examination for promotion has not been held, both of these men have passed the open examination creditably, I believe that they are now eligible for promotion, and I beg to recommend that the Board authorize the employment of two Rodmen in place of two Axemen now assigned to the work of triangulation, and that, pursuant to the provisions of chapter 406 of the Laws of 1903, the Mayor be requested to promote Messrs. Sherry and Barnes to the grade of Rodman, at \$1,050 per annum.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

The following resolution was offered:

Resolved, That, pursuant to the provisions of chapter 406 of the Laws of 1903, the Mayor be and hereby is authorized and requested to appoint three Rodmen, each at a salary of ten hundred and fifty dollars (\$1,050) per annum, to be assigned to the work of triangulation of The City of New York, and to promote Messrs. William A. Sherry, William V. Barnes and Perry J. Kiernan, now employed as Axemen, to such positions.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the President of the Borough of The Bronx, requesting the fixing of the salaries of certain positions under his jurisdiction.

Referred to a sub-committee composed of the five Borough Presidents.

The Secretary presented the following communication from the Board of Armory Commissioners, requesting an amendment to the resolution adopted by the Board of Estimate and Apportionment August 21, 1902, by striking therefrom the words "One Wireman," and inserting in place thereof the words "One Inspector of Fuel":

BOARD OF ARMORY COMMISSIONERS,
SECRETARY'S OFFICE, STEWART BUILDING, No. 280 BROADWAY,
NEW YORK, August 31, 1904.

To the Honorable the Board of Estimate and Apportionment:

GENTLEMEN—Whereas, Lawrence V. Meehan, appointed Wireman January 21, 1903, in the employ of the Armory Board, has passed the examination for Inspector of Fuel and is on the eligible Civil Service list, and his services are now deemed necessary as such Inspector of Fuel, you are respectfully requested to amend the resolution adopted by your Board August 21, 1902, designating the schedule of employees so as to read by striking out the words "One Wireman at \$1,200 per annum," and inserting in the place thereof the words "One Inspector of Fuel, at \$1,200 per annum," in order that such transfer may be made.

No increase in the appropriation is made or anticipated.

Yours truly,

E. A. FORNES, Secretary.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment August 21, 1902, which reads as follows:

"Resolved, That the resolution adopted by this Board at a meeting held April 30, 1902, fixing the salaries of officers, clerks and employees of the Board of Armory Commissioners, be and the same is hereby amended by omitting "One Inspector of Repairs and Supplies, \$1,200," and inserting in lieu thereof "One Wireman, \$1,200,"—be and the same is hereby further amended by striking out the words "One Wireman" and inserting in place thereof the words "One Inspector of Fuel."

Which was adopted by the following vote:

The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Commissioner of Public Charities, requesting the fixing of the salaries of certain positions under his jurisdiction.

Referred to the Comptroller.

The Secretary presented a communication from the Secretary to the President of the Borough of Queens, relative to the fixing of the salary of various employees in the Topographical Bureau in said Borough.

Referred to a sub-Committee composed of the five Borough Presidents.

The Secretary presented a communication from the Commissioner of Parks, Boroughs of Manhattan and Richmond, requesting the fixing of the salary of an Architect in said Department at the rate of \$2,500 per annum.

Referred to the Comptroller.

The Secretary presented the following communication from the County Judge and Surrogate of Richmond County, requesting the fixing of the salaries of the positions of Stenographer and Clerk in his Court:

COUNTY OF RICHMOND, SURROGATE'S OFFICE, }
RICHMOND, N. Y., July 19, 1904. }

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

GENTLEMEN—Upon my requisition the Board of Estimate and Apportionment last year made an annual appropriation for the year 1904 for certain increased salaries in the Department of the County Court and Surrogate's Court of Richmond County, but such salaries have never been fixed by the Board. The increases asked for are: Thomas Kenny, Jr., Count Stenographer and Secretary to the Surrogate, whose salary is now \$2,000, to be fixed at \$2,300, and Joseph E. Mullins, Clerk in the Surrogate's office, whose salary is now \$1,300, to be fixed at \$1,400. The amounts asked for I believe to be not only reasonable and just, but very moderate, and are within the limit of their classification under the State Civil Service Law, and I would respectfully ask that they be fixed accordingly, as no additional appropriation will be required—the amount in the salary fund to the credit of my Department being sufficient for such purpose.

Very truly yours,

STEPHEN D. STEPHENS,
County Judge and Surrogate of Richmond County.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salaries of the following positions in the County Court and Surrogate's Court, Richmond County, be fixed as follows:

Stenographer	\$2,300 00 per annum
Clerk	1,400 00 per annum

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following resolution, fixing the salary of the position of Architect's Assistant in the College of The City of New York, at the rate of \$1,800 per annum:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter that the salary of the position of Architect's Assistant in the College of The City of New York be fixed at eighteen hundred dollars (\$1,800) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Brooklyn Disciplinary Training School for Boys, requesting the fixing of the salary of the position of House-mother at the rate of \$720 per annum:

BROOKLYN DISCIPLINARY TRAINING SCHOOL FOR BOYS, }
No. 733 CHAUNCEY STREET, }
BOROUGH OF BROOKLYN, N. Y., August 8, 1904. }

Hon. JAS. W. STEVENSON, Deputy and Acting Comptroller:

MY DEAR SIR—Referring to our late visit to your department as a special committee appointed by the Board of Management of this Institution, composed of Messrs. Hoogland, Bogert and Bennett, and myself as President—an ex-officio member, recommending an advance in the salary of one of our most deserving employees, recorded on the pay-roll as House Mother, and filling the position of Trained Nurse in the dispensing of medicines and administering such other technical services as our Visiting Physician directs in the care of the population of this institution of 325.

The female help of the institution is under her direction, and being qualified by a certificate from the Board of Health and that of a Teacher by the Board of Education, her services are highly appreciated by the Committee on Employment of the Board of Management and the recommendation of the Superintendent.

Recognizing her great service to the institution and the low salary received, the following resolution was introduced at a meeting of the Board of Management held on Tuesday, June 21, 1904:

"Resolved, That application be made to the Board of Estimate and Apportionment for an increase in the salary of the House Mother in the Brooklyn Disciplinary Training School for Boys from the sum of \$600 to the sum of \$720 per annum."

The motion was duly seconded and unanimously carried.

The same was confirmed on July 26, 1904, by the appointment of the above committee of the Board to call on you personally and request that you present the same before the Honorable Board of Estimate and Apportionment at as early a date as possible.

Miss Anna J. Hutchinson, the employee for whom we solicit this advance, is deserving of the consideration requested, and great fear is felt that should our appeal not be granted by your Honorable Board the institution may lose the services of so valuable an employee.

It will be noted that Miss Hutchinson was recommended for this advance on our schedule presented last year, and will be repeated in the schedule for 1905.

With the foregoing assurance of qualification and merit we trust the petition of our Board will receive favorable action with your personal attention.

Respectfully yours,

MORRIS ADLER, President.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of House Mother in the Brooklyn Disciplinary Training School for Boys be fixed at the rate of seven hundred and twenty dollars (\$720) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Commissioner of Bridges, requesting the fixing of the salary of the position of Telephone Operator in said department at the rate of \$900 per annum.

Laid over.

The Secretary presented the following communication from the Commissioner of the Fire Department, requesting the fixing of the salary of Secretary to the Commissioner at the rate of \$2,500 per annum:

HEADQUARTERS FIRE DEPARTMENT, CITY OF NEW YORK, }
Nos. 157 AND 159 EAST SIXTY-SEVENTH STREET, }
BOROUGH OF MANHATTAN, July 19, 1904. }

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

SIR—I have the honor to request that, pursuant to the provisions of section 56 of the Greater New York Charter, your Honorable Board recommend to the Board of Aldermen the fixing of the salary of the Secretary to the Commissioner at the rate of \$2,500 per annum.

My reasons for this request are that the duties of the position have increased very materially since May, 1902, when the salary was fixed at \$2,000 per annum. The present incumbent of the position is charged with many duties which did not devolve upon his predecessor, and under the circumstances I think it but reasonable to ask that the salary of the position be fixed at \$2,500 per annum, and respectfully urge prompt and favorable action in the matter.

Respectfully,

NICHOLAS J. HAYES, Commissioner.

Some of the reasons why the salary of the Secretary to the Fire Commissioner should be increased from \$2,000 to \$2,500 per annum, are as follows:

In comparison with salaries paid to Secretaries of heads of other departments, Superintendents of various bureaus, his salary is much smaller. For example, the Secretary to the Superintendent of Buildings receives \$2,500. In the Police Department the Secretary to the Police Commissioner receives \$3,000 per annum, while the Secretaries to the two Deputy Police Commissioners (Second and Third) each receive \$2,100. The Secretary to the Health Commissioner receives \$3,000, the Secretary to the Commissioner of Street Cleaning \$3,000, the Secretary to the Commissioner of Water Supply \$2,500, the Secretary to the Comptroller \$3,000, the Secretary to the Commissioner of Bridges \$2,550. The salaries of the Secretaries to the various Borough Presidents vary—the Secretary to the President of the Borough of Manhattan, \$4,000 per annum; the Secretary to the President of the Borough of The Bronx, \$3,500; the Secretary to the President of the Borough of Queens, \$3,000; the Secretary to the President of the Borough of Richmond, \$2,500. The Secretary to the Superintendent of Sewers receives \$2,850.

The following resolution was offered by the President of the Borough of Manhattan:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of Secretary to the Commissioner of the Fire Department, Borough of Manhattan, be fixed at the rate of two thousand five hundred dollars (\$2,500) per annum.

Which was lost by the following vote:

Negative—The Mayor, the Comptroller—6.

Affirmative—The President of the Borough of Manhattan, the President of the Borough of The Bronx and the President of the Borough of Richmond—4.

Not Voting—The President of the Borough of Brooklyn and the President of the Borough of Queens—3.

Twelve votes being necessary, according to the provisions of the Charter, to pass an original resolution.

The Secretary presented a communication from the Department of Health, requesting the fixing of the salaries of various positions in said Department.

Laid over for consideration with the Budget for the year 1905.

The Secretary presented the following communication from the Department of Health, requesting the creation of the position of Messenger in said Department, with salary at the rate of \$1,500 per annum:

DEPARTMENT OF HEALTH—CITY OF NEW YORK, }
SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, }
BOROUGH OF MANHATTAN, }
NEW YORK, September 7, 1904. }

J. W. STEVENSON, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—Inclosed herewith you will find a copy of a resolution adopted by the Board of Health at its meeting held this day, requesting the Board of Estimate and Apportionment to create the position of Messenger in the Department of Health, with salary at the rate of \$1,500 per annum.

This request is made for the purpose of enabling the Board of Health to promote Mr. William T. Brady, at present employed as a Messenger with a salary of \$1,200 per annum. Mr. Brady was appointed originally as a Foreman in this Department on July 9, 1889, and has since served successively as a Disinfecter, Milk Inspector and Messenger, the last change of designation being made at the request of Ernst J. Lederle, Ph.D., then President of the Board of Health, because of Mr. Brady's wide acquaintance with persons in the Municipal Service, and his desire to avail himself of Mr. Brady's services in matters of a confidential nature.

Respectfully,

EUGENE W. SCHEFFER, Secretary.

DEPARTMENT OF HEALTH—CITY OF NEW YORK, }
SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE, }
BOROUGH OF MANHATTAN, }
NEW YORK, September 7, 1904. }

At a meeting of the Board of Health of the Department of Health, held September 7, 1904, the following resolution was adopted:

Resolved, That the Board of Estimate and Apportionment be and is hereby respectfully requested to create the position of Messenger in the Department of Health, with salary at the rate of \$1,500 per annum.

A true copy.

EUGENE W. SCHEFFER, Secretary.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of Messenger in the Department of Health be fixed at the rate of fifteen hundred dollars (\$1,500) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Board of Education, stating that the cost of erecting fire-escapes on school buildings, in accordance with the order of the Department of Buildings, would aggregate about \$300,000:

BOARD OF EDUCATION, }
PARK AVENUE AND FIFTY-NINTH STREET, }
NEW YORK, July 1, 1904. }

Hon. EDWARD M. GROUT, Comptroller:

DEAR SIR—I have the honor to advise you that at a meeting of the Committee on Buildings, held on the 27th ult., the Superintendent of School Buildings presented sundry reports in regard to the cost of erecting fire-escapes, in accordance with the order of the Department of Buildings, and stating that the cost of the work would aggregate about \$300,000.

It was ordered that a communication be addressed to you notifying you that this Department is not in possession of any available funds for this purpose, and asking whether you would deem it advisable to perform this work, charging the expense thereof to permanent betterments.

Respectfully,
A. EMERSON PALMER,
Secretary, Board of Education.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, 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 three hundred thousand dollars (\$300,000), for the purpose of providing means for permanently bettering school buildings in The City of New York, by the erection of fire-escapes thereon, and that 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 three hundred thousand dollars (\$300,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following resolution of the Board of Education, testifying its appreciation of the promptness shown by the Mayor, the Board of Estimate and Apportionment, and the Board of Aldermen, in approving of the issue of Corporate Stock to the amount of \$5,000,000 for the purpose of providing for the construction, permanently bettering and equipping school buildings and additions thereto, and the acquisition of sites therefor; and also in the issuing of Special Revenue Bonds for the purpose of lighting school buildings during the year 1904.

Which was ordered on file.

Whereas, On June 24, 1904, the Board of Estimate and Apportionment adopted a resolution approving the issue of Corporate Stock to an amount not exceeding five million dollars for the purpose of providing means for the construction, permanently bettering and equipment of school buildings and additions thereto and acquisition of sites therefor; and

Whereas, The said resolution, accompanied with an emergency message from his Honor the Mayor, was transmitted to the Board of Aldermen, which approved the same and adopted an additional resolution, requesting the Board of Estimate and Apportionment to authorize the Comptroller to issue Special Revenue Bonds to the amount of one hundred and forty thousand dollars (\$140,000), to be used by the Commissioner of Water Supply, Gas and Electricity for the purpose of lighting public school buildings during the year 1904, both of which amounts are now available for the use of this Department; therefore be it

Resolved, That the Board of Education does hereby testify its appreciation of the promptness shown by his Honor the Mayor, the Board of Estimate and Apportionment and the Board of Aldermen in complying with the requests of this Board, and does further tender its hearty thanks to his Honor the Mayor, the Board of Estimate and Apportionment and the Board of Aldermen for the spirit of co-operation thus manifested.

A true copy of report and resolution adopted by the Executive Committee of the Board of Education on August 17, 1904.

FRED H. JOHNSON, Assistant Secretary, Board of Education.

The Secretary presented a communication from the Department of Health, requesting the issue of Corporate Stock in the sum of \$213,000, for the purpose of defraying necessary expenses required to be incurred by said Board for the preservation of the public health, in the alteration, repair and addition to existing plants and the appurtenances thereto; and in the purchase of a launch for the use of the Physicians, Nurses and other employees of Riverside Hospital.

Laid over until the next Financial Meeting.

The Secretary presented the following communication from the Commissioner of Water Supply, Gas and Electricity, relative to the petition of E. J. Jennings and others, for an appropriation of \$5,000 for constructing a road to connect with Eagle avenue around the southwesterly portion of the Hempstead Reservoir, and transmitting report of the Chief Engineer of said Department in the Borough of Brooklyn relative thereto:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
COMMISSIONER'S OFFICE, NOS. 13-21 PARK ROW,
CITY OF NEW YORK, August 30, 1904.

Hon. J. W. STEVENSON, Deputy Comptroller:

DEAR SIR—Replying to your letter of July 26, transmitting reports from Engineer R. W. Cruzbauer on the petition of E. J. Jennings and others, on behalf of the Town of Hempstead, for an appropriation of \$5,000 for the purpose of constructing a road to connect with Eagle avenue around the southwesterly portion of Hempstead Reservoir, I transmit herewith for your information copy of report from I. M. De Varona, Chief Engineer of this Department for the Borough of Brooklyn, and desire further to say that I concur in his recommendations, and approve of the granting of the appropriation for \$5,000, necessary for the construction and improvements of Eagle avenue.

Respectfully,
JNO. T. OAKLEY, Commissioner.

AUGUST 11, 1904.

Hon. THOMAS R. FARRELL, Deputy Commissioner of Water Supply, Gas and Electricity, Borough of Brooklyn:

DEAR SIR—In reply to your letter of the 3d inst., in which you inclose communication from the Secretary of the Department, to which are appended other papers in reference to the petition on behalf of the Town of Hempstead for an appropriation of \$5,000 to construct a road to connect with Eagle avenue.

In my communication of September 19 last (to which I beg to refer for details), I fully discussed this matter, and I can add nothing to the statements then made. The facts bearing upon this question occurred over thirty years ago, and the records are by no means clear or complete. It has been alleged by the Town of Hempstead that the Storage Reservoir was constructed and Eagle avenue closed without any legal authority. This allegation, on the face of it, is extraordinary, as it is hard to conceive that during the years which it took to construct the Storage Reservoir no one in the Town of Hempstead thought of claiming the rights of the town to Eagle avenue and preventing its being closed.

Furthermore, in a map of the proposed reservoir lands, which is in our office, and which is signed by the Commissioners appointed then to condemn the lands, Eagle avenue is shown at least partially. I attended several hearings on this matter about two years ago, at which the City was also represented by the Assistant Corporation Counsel. From the allegations then made, it appeared to us that it was questionable even whether some time and might be prolonged much longer, with the consequent loss of time, annoyance, expense, etc.

I beg to suggest, however, that if this application be granted, a formal release of all title or claim to the land which the petitioner claims was Eagle avenue, between the east and west boundaries of the Storage Reservoir lands be obtained so that the title of the City to these lands may not be further questioned; also, that a plan of the proposed road be submitted to and approved by this Department before the same is opened; and lastly, that the money be paid to the town authorities and the work done by them.

Yours very truly,
(Signed) I. M. DE VARONA, Chief Engineer.

(Copy.)

CITY OF NEW YORK, BOROUGH OF BROOKLYN,
DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
OFFICE OF CHIEF ENGINEER, MUNICIPAL BUILDING, ROOM 25,
BROOKLYN, September 19, 1904.

ROBERT VAN IDERSTINE, Esq., Deputy Commissioner:

DEAR SIR—Replying to the letter of the 16th inst., transmitted by your Secretary, accompanying petition of E. J. Jennings, Highway Commissioner of the Town of Hempstead, in regard to petition to the Board of Estimate and Apportionment for an appropriation of \$5,000 to build a road to take the place of Eagle avenue.

As you are aware, the claim was made last year by the representatives of the Town of Hempstead, that the City of Brooklyn unlawfully took possession some thirty years ago of a portion of what was claimed as Eagle avenue, lying between the eastern and western shores of the Hempstead Reservoir, and several hearings were had, at which representatives of the Law Department and I were present, on behalf of the City, to discuss the matter. It was one in which there appeared to be considerable uncertainty and confusion, so that the proper decision would not probably be reached until after lengthy and costly legal proceedings, the issue of which, of course, it would be impossible to foretell.

While the granting or refusing of the request now made for an appropriation of \$5,000 is purely a matter of policy, since you request my opinion on the same, I will state that I should be in favor of recommending the appropriation with the object of conciliating the people of the Town of Hempstead as a matter of deference to the wishes of the people of the Town of Hempstead who favor this measure and also to put an end to the contention in regard to this road, which has now been going on, for Eagle avenue had been legally and formally opened all through the present reservoir site. The records, both on the part of the Town and of the Department of City Works, are certainly very imperfect. I can, therefore, furnish no additional data bearing on the subject.

In view however, of the allegations made by the Town of Hempstead, I recommend the granting of the \$5,000 requested by the town for a new road, as a matter of policy and expediency and in satisfaction of the moral obligation that possibly might exist on the part of the City in this matter. The recommendations made by the Engineer of the Finance Department are substantially thus embodied in my report of September 19, already quoted.

Yours very truly,
Chief Engineer.

P. S.—I return herewith the papers accompanying your communication, i. e.:
Letter of August 2, 1904, Secretary of the Department.

Copy of letter Deputy Comptroller Stevenson, July 26, 1904.

Copy of report to the Comptroller from R. W. Cruzbauer, Assistant Engineer, July 8, 1904.

The following was offered:

Whereas, E. J. Jennings and others, on behalf of the Town of Hempstead, petitioned for an appropriation of \$5,000 for the purpose of constructing a road to connect with Eagle avenue around the southwesterly portion of Hempstead Reservoir in the Town of Hempstead; and

Whereas, It is alleged that when the said Hempstead Storage Reservoir was constructed Eagle avenue was closed without any legal authority; and

Whereas, Said Hempstead Reservoir is a part of the water supply system of the Borough of Brooklyn; and

Whereas, The construction of a road around said reservoir to connect with Eagle avenue, has been made necessary by the construction of said reservoir, and the Commissioner of Water Supply, Gas and Electricity, has recommended and approved of the granting of the appropriation requested in said petition; therefore be it

Resolved, That the Board of Estimate and Apportionment hereby appropriates, subject to the concurrence of the Board of Aldermen, the sum of five thousand dollars (\$5,000), to be paid to the Town of Hempstead for the construction of a road to connect with Eagle avenue around the southwesterly portion of the Hempstead Reservoir upon the execution of a formal release by the authorities of the Town of Hempstead of all title or claim to the land which it is claimed was Eagle avenue, between the east and west boundaries of the Storage Reservoir lands, and also the approval by the Commissioner of Water Supply, Gas and Electricity, of a plan of the proposed road to be constructed, for which this appropriation is hereby made; and be it further

Resolved, That for the purpose of providing the necessary means to meet said appropriation and to pay said amount over to the authorities of the Town of Hempstead, the Board of Estimate and Apportionment, pursuant to the provisions of section 178 of the Greater New York Charter, hereby approves of the issue of Corporate Stock to the amount of five thousand dollars (\$5,000), said appropriation being deemed as a part of the expenses connected with the water supply of The City of New York, as set forth in said section 178 of the Charter, and that 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 five thousand dollars (\$5,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Police Commissioner asking that the resolution adopted by the Board of Estimate and Apportionment July 22, approving of the selection of premises at Nos. 134 to 138 West Thirtieth street, Manhattan, be corrected, for the reason that he recommended the selection of the site located at Nos. 141 to 147 West Twenty-eighth street, and not the one on Thirtieth street, for the Nineteenth Precinct Station-house.

Referred to the Comptroller, and the Secretary directed to notify the Commissioner to confer with the Comptroller in regard to the site.

The Secretary presented the following communication relative to an appropriation of \$163,866.71 to replenish the Fund for Street and Park Openings, in the matter of extending a new street from Chambers street to Reade street, in the Sixth Ward, Borough of Manhattan:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 3, 1904.

To the Board of Estimate and Apportionment:

GENTLEMEN—I have been advised by the Corporation Counsel that the Last Partial and Separate Report of the Commissioners of Estimate and Assessment in the matter of opening and extending a new street from Chambers street to Reade street, in the Sixth Ward, Borough of Manhattan, was confirmed by orders of the Supreme Court, dated May 25 and June 8, 1904, and entered in the office of the Clerk of the County of New York May 26 and June 9, 1904.

The title to the lands, etc., taken in this proceeding became vested in The City of New York on the confirmation of the First Partial and Separate Report of the Commissioners of Estimate and Assessment, to wit: May 13, 1901.

The total amount of the award is.....	\$400,515 02
Amount of taxed costs.....	2,802 67
Amount of additional taxed costs.....	6,349 08
	\$409,666 77

Pursuant to the provisions of a resolution of the Board of Estimate and Apportionment adopted June 23, 1903, forty per cent. (40%) of the entire cost and expense of this proceeding is to be borne and paid by The City of New York, for which Corporate Stock to the amount of one hundred and sixty-three thousand eight hundred and sixty-six dollars and seventy-one cents (\$163,866.71) should be issued.

A resolution for that purpose is herewith submitted.
Respectfully,
J. W. STEVENSON, Deputy Comptroller.

The following resolution was offered:
Resolved, That pursuant to the provisions of section 174 of the revised Greater New York Charter, 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 revised Greater New York Charter, to the amount of one hundred and sixty-three thousand eight hundred and sixty-six dollars and seventy-one cents (\$163,866.71), the proceeds whereof to be applied to replenish the "Fund for Street and Park Openings," for the share of the expense to be borne by The City of New York, in the matter of opening and extending a new street, from Chambers street to Reade street, in the Sixth Ward, pursuant to the provisions of a resolution of the Board of Estimate and Apportionment, adopted June 23, 1903.

Which was adopted by the following vote:
Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Commissioner of Water Supply, Gas and Electricity, relative to an appropriation of \$10,000 to be paid to the Supervisor of the Town of Hempstead, Nassau County, pursuant to the provisions of chapter 209 of the Laws of 1901:

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
COMMISSIONER'S OFFICE, NOS. 13-21 PARK ROW,
CITY OF NEW YORK, August 30, 1904.

Hon. J. W. STEVENSON, Deputy Comptroller:
DEAR SIR—I desire to say, in reply to your request of the 15th inst., that I see no reason why the same action by the Board of Estimate and Apportionment should not be taken this year as was done in 1901, 1902 and 1903, providing for the payment of \$10,000 to the Town of Hempstead in Nassau County, pursuant to chapter 209 of the Laws of 1901.

Respectfully,
JOHN T. OAKLEY, Commissioner.

The following resolution was offered:
Resolved, That, pursuant to the provisions of chapter 209 of the Laws of 1901, the Board of Estimate and Apportionment hereby concurs in the resolution adopted September 23, 1901, and elects to relieve itself of all responsibility in performing the work contemplated by said act by paying to the Supervisor of the Town of Hempstead in Nassau County the sum of ten thousand dollars (\$10,000) per annum, for five years, beginning the 1st day of July, 1901, and for the purpose of providing means for the fourth of such payments, the Comptroller be and is hereby authorized to issue Special Revenue Bonds of The City of New York to the amount of ten thousand dollars (\$10,000), redeemable from the tax levy of the year succeeding the year of their issue.

Which was adopted by the following vote:
Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Commissioner of Bridges, requesting an appropriation of \$2,500,000 for the necessary expenses connected with the construction of the Williamsburgh Bridge (No. 2):

DEPARTMENT OF BRIDGES—CITY OF NEW YORK,
August 9, 1904.

Honorable Board of Estimate and Apportionment, No. 280 Broadway, Manhattan:
GENTLEMEN—Referring to my communication to your Honorable Board of February 7, 1904, I beg to request the authorization by you of the issue of Corporate Stock of The City of New York to the amount of two million five hundred thousand dollars (\$2,500,000), for the use of the "New East River Bridge Fund."

This amount is made immediately necessary in order to provide for the payment of awards, etc., for property acquired by condemnation proceedings for the use of the Williamsburgh (New East River) Bridge.
Respectfully,
GEO. E. BEST, Commissioner of Bridges.

The following resolution was offered:
Resolved, That, pursuant to the provisions of chapter 789 of the Laws of 1895, and sections 169 and 170 of the Greater New York Charter, the Board of Estimate and Apportionment hereby authorizes the Comptroller to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to the amount of two million five hundred thousand dollars (\$2,500,000), the proceeds whereof to be applied to the necessary expenses connected with the construction of the bridge over the East river, between the boroughs of Manhattan and Brooklyn, known as the Williamsburgh Bridge (No. 2), and the acquisition of land therefor.

Which was adopted by the following vote:
Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Commissioner of Bridges requesting an appropriation of \$600,000 for the necessary expenses connected with the construction of Blackwell's Island Bridge (No. 4):

DEPARTMENT OF BRIDGES—CITY OF NEW YORK,
NOS. 13-21 PARK ROW,
MANHATTAN, N. Y., August 9, 1904.

Honorable Board of Estimate and Apportionment, No. 280 Broadway, Manhattan:
SIR—Referring to my communication to your Honorable Board of February 17, 1904, I beg to request the authorization by you of the issue of Corporate Stock of The City of New York, to the amount of six hundred thousand dollars (\$600,000), for the use of "Bridge over the East river, between the boroughs of Manhattan and Queens," known as Blackwell's Island Bridge (No. 4).

This amount is made necessary to provide funds for the payment of awards, etc., for property acquired by condemnation proceedings, for the use of said bridge.
Respectfully,
GEO. E. BEST, Commissioner of Bridges.

The following resolution was offered:
Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, the Board of Estimate and Apportionment hereby approves of the issue of Corporate Stock of The City of New York, to the amount of six hundred thousand dollars (\$600,000), for the purpose of providing means to pay the necessary expenses connected with the construction of the bridge over the East river, between the boroughs of Manhattan and Queens, known as Blackwell's Island Bridge (No. 4), and the acquisition of lands therefor, and that, subject to the concurrence of 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 six hundred thousand dollars (\$600,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communications from the Commissioner of Parks, Boroughs of Manhattan and Richmond, the Architect of the Department of Parks, the Secretary of the Department of Health and the Engineer of the Department of Finance, relative to appropriation of \$18,000 to provide means for the construction of a comfort station in Madison Square Park, Borough of Manhattan:

THE CITY OF NEW YORK—DEPARTMENT OF PARKS,
THE ARSENAL, CENTRAL PARK,
July 20, 1904.

To the Board of Estimate and Apportionment, The City of New York:
GENTLEMEN—I have the honor to request that your Honorable Board will authorize an issue of Corporate Stock in the sum of eighteen thousand dollars (\$18,000), for the purpose of defraying the expense of constructing and equipping a public comfort building in Madison Square Park, to be built of stone and erected in the place of the old existing structure now used for such purpose in said park.

The building at present used as a comfort station in Madison square affords inadequate facilities and is altogether unsuited to the purpose, for the reasons set forth in the accompanying report of the Architect of the Department.

Complaints are frequent from citizens, as well as from the Board of Health, as to the unsanitary condition of the place. I also inclose for the information of your Board, a communication from the Health Department on the same subject.

The matter thus shown to be one of urgent importance, your early consideration and favorable action are respectfully requested.
Respectfully,
JNO. J. PALLAS,
Commissioner of Parks, Boroughs of Manhattan and Richmond.

THE CITY OF NEW YORK—DEPARTMENT OF PARKS,
THE ARSENAL, CENTRAL PARK,
July 18, 1904.

WILLIS HOLLY, Esq., Secretary, Park Board:
DEAR SIR—I herewith return letter from the Board of Health regarding the condition of the men's toilet in the Madison Square cottage. The complaint of the filthy condition of this portion of the cottage is one that has been frequently made for a number of years, and it is largely due to the physical condition of the building. The facts in connection with this comfort station are as follows:

The upper portion of the building was converted into a women's toilet only, and the basement was dug out for the use of storing tools and working implements by the laborers engaged on the park. Complaint had been made from time to time by the Foreman that the workmen left the park and neglected their work, and it was considered advisable to place a closet in the basement for their use exclusively. This closet was not for public use for the men at any time, but through public clamor it was fitted up temporarily for that purpose. The condition and the size of the basement are such that nothing can be placed there for public use that would be sanitary, and I have repeatedly reported against its use by the public. I will again reiterate one of my numerous reports on the matter in recommending that all existing plumbing fixtures of every description be removed from the basement; that one closet be placed there again for the use of the laboring force exclusively; that the public be prohibited from entering the building, and that the door be locked at all times. Secondly, that the present comfort station be removed, and that a new combination comfort station, to be built of stone and to cost about \$18,000, be erected in the place of the existing one, and that an application be made for the issue of bonds to the Board of Estimate and Apportionment.

Unless both these suggestions are carried out you will continue to receive complaints about this building, and I hope that some definite action will be taken, as in its present condition it will not permit of any further delay.
Respectfully,
JULIUS F. MUNCKWITZ, Architect.

DEPARTMENT OF HEALTH—CITY OF NEW YORK,
SOUTHWEST CORNER FIFTY-FIFTH STREET AND SIXTH AVENUE,
BOROUGH OF MANHATTAN, NEW YORK, July 15, 1904.

WILLIS HOLLY, Esq., Secretary, Department of Parks:
DEAR SIR—With reference to yours of the 14th inst., relative to reports of inspections of the water closets located in Madison Square Park, made by Inspectors of this Department, in which you state that the cottage in Madison Square Park is in as good a condition as it has been found possible to keep it while the present building is maintained, the inspection made by Sanitary Inspector Graef is not the only one that has been made by Inspectors of this Department; each inspection that has been made confirms the result of the previous one.

It can only be reiterated for the information of the Park Board that the water closets and the water closet apartments for the males in the toilets located in Madison Square Park are in a filthy condition. The wooden metal covered urinal in the male apartment is filthy, saturated and offensive. Continued complaints of these conditions are being received by the Department of Health, and if the same is to be remedied at all, the Department of Parks is deemed the proper one to undertake the same.

Respectfully yours,
EUGENE W. SCHEFFER, Secretary.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 9, 1904.

Hon. EDWARD M. GROUT, Comptroller:
SIR—Hon. John J. Pallas, Commissioner of Parks, Boroughs of Manhattan and Richmond, in communication under date of July 20, 1904, requests the Board of Estimate and Apportionment to authorize an issue of Corporate Stock in the sum of \$18,000, for the purpose of defraying the expenses of constructing and equipping a public comfort building in Madison Square Park, to be erected in the place of the old existing structure now used for such purpose in said park.

I would report that I have had the present comfort station in Madison Square Park examined, and it is found that the building now used for a comfort station is a one-story wooden structure raised five or six feet above ground level. The main floor is used as a comfort station for women, and the basement for a furnace room, storage for tools, etc., and a small room adapted to the uses of a men's comfort station. The facilities are, in the first place, inadequate and, secondly, the fixtures are of

primitive character, not well adapted to present day uses, set with wooden surroundings and supports. The nature of these fittings and surroundings, together with the considerable use to which they are subject, precludes their being kept in a sanitary condition or even decently clean, and I fully concur with the architect of the Park Department that this building should be replaced by a modern comfort station adapted to the location, and I think the Board of Estimate and Apportionment may properly authorize the Comptroller, pursuant to section 47 of the Amended Greater New York Charter, to issue Corporate Stock of The City of New York to the amount of \$18,000, to provide for the erection of a comfort station in Madison Square Park, Borough of Manhattan.

Respectfully,
EUG. E. McLEAN, Engineer.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, 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 eighteen thousand dollars (\$18,000), to provide means for the construction of a comfort station in Madison Square Park, Borough of Manhattan, and that 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 eighteen thousand dollars (\$18,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Board of Education, transmitting a report relative to the direct employment of Janitors' Assistants. Laid over for the Budget.

The Secretary presented a communication from the Central Federated Union, transmitting preamble and resolution requesting the Board of Estimate and Apportionment to at once appropriate a sufficient sum of money for the Board of Education to enable said Board to engage and employ direct help for the public schools.

Laid over for consideration with the Budget for the year 1905.

The Secretary presented a communication from the Broadway Board of Trade, relative to the unsatisfactory and infrequent collections of ashes in the Twenty-fifth and Twenty-sixth Wards, Borough of Brooklyn.

Referred to the Commissioner of the Street Cleaning Department.

The Secretary presented a communication from the Department of Public Charities, requesting an appropriation of \$7,834.07 for their Supply and Contingent Account for the year 1904, to cover the expenses incurred by said Department in caring for the victims of the "General Slocum" disaster, etc.

Laid over.

The Secretary presented a communication from the Department of Health, requesting the apportionment of the sum of \$10,060.22 from the amount (\$50,000) appropriated by the Board of Estimate and Apportionment in accordance with the request of the Board of Aldermen, for the purpose of defraying the expenses incurred by the Department of Health in connection with its care and treatment of the survivors among the passengers on board the steamer "General Slocum."

Laid over.

The Secretary presented a communication from the Justice of the Twelfth District Municipal Court, Manhattan, concerning the requirements of said Court to secure the safety of its records.

Referred to the President of the Borough of Manhattan.

The Secretary presented a communication from the Tax-Payers' Protective Association of Far Rockaway, New York, transmitting preambles and resolutions indicating the necessary improvements and betterments required, and making suggestions regarding conditions which are defective and unsatisfactory.

Referred to the President of the Borough of Queens.

The Secretary presented the following communication from the Chief Engineer of the Board of Estimate and Apportionment, relative to the issue of Special Revenue Bonds to the amount of \$15,000 for the payment of the expenses of the triangulation of The City of New York:

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER, No. 277 BROADWAY,
NEW YORK, September 2, 1904.

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

SIR—In accordance with the provisions of chapter 406 of the Laws of 1903, the Board of Estimate and Apportionment on May 8, 1903, provided for the triangulation of The City of New York, and Special Revenue Bonds in the sum of fifteen thousand dollars (\$15,000) were issued under the provisions of that act. The expenses of the work up to the present time have been nearly \$14,000, and payments will soon be due for the erection of observing towers, which will exhaust the entire amount available. The act provides that "the Comptroller is authorized and directed to issue Special Revenue Bonds not to exceed the said amount (\$15,000) in any one year, upon the request of the Board of Estimate and Apportionment, in order to provide the means to make the payments thus authorized."

I beg to recommend that the Comptroller be requested to issue Special Revenue Bonds in the sum of fifteen thousand dollars (\$15,000) to provide for the expense of continuing this work.

Respectfully,
NELSON P. LEWIS, Chief Engineer.

The following resolution was offered:

Resolved, That the Comptroller be and he is hereby requested to issue, during the year 1904, from time to time as may be necessary, Special Revenue Bonds to provide for the necessary expenses incurred or to be incurred in connection with the triangulation of The City of New York, authorized by the Greater New York Charter, as amended by chapter 406 of the Laws of 1903, which expenses, in accordance with said Law, are not to exceed in any one year the sum of fifteen thousand dollars (\$15,000).

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the East Tremont Tax-Payers' Association relative to the acquisition of land situated between Vyse and Daly avenues, Borough of The Bronx, as a Corporation Yard.

Referred to the President of the Borough of The Bronx.

The Secretary presented a communication from the Floral Park Hook and Ladder Company 1, requesting an appropriation of \$1,000, pursuant to the provisions of section 722 of the Charter.

Referred to the Fire Commissioner.

The Secretary presented a report of the Engineer of the Department of Finance relative to the purchase of a patented device, which will permit the placing or connecting of a "sleeve" with the new water-main and distributing pipe without shutting off or affecting in any way the free flow of water, which was requested by the Commissioner of Water Supply, Gas and Electricity.

Referred to the Corporation Counsel, to prepare a proper form of resolution.

The Secretary presented the following communication from the President of the Borough of The Bronx, requesting issues of Corporate Stock for Bridges over the New York and Harlem Railroad, One Hundred and Forty-ninth, One Hundred and Sixty-first and One Hundred and Seventy-seventh streets, in the sum of \$150,000, and for extension of bridges over Port Morris Branch Railroad at Elton avenue, One Hundred and Sixty-second street and Washington avenue, in the sum of \$50,000:

THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX,
MUNICIPAL BUILDING, CROTONA PARK,
August 12, 1904.

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

DEAR SIR—I desire to call your attention to my letter of February 18, 1904, in which I transmitted a list of Corporate Stock necessary for the year 1904, and I now desire to state that the amounts necessary for the following works are absolutely necessary, viz.:

For bridges over the New York and Harlem Railroad, One Hundred and Forty-ninth street, One Hundred and Sixty-first street and One Hundred and Seventy-seventh street.

For bridges (extension of) over Port Morris Branch Railroad at Elton avenue, One Hundred and Sixty-second street and Washington avenue.

The regulating and grading of these streets are completed, and in some cases they are paved.

I would respectfully request that these matters be taken up, and the necessary action taken at an early date by the Board of Estimate and Apportionment.

Yours truly,

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

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, 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 two hundred thousand dollars (\$200,000), to provide means for the following purposes:

Bridges over the New York and Harlem Railroad, One Hundred and Forty-ninth, One Hundred and Sixty-first, One Hundred and Seventy-seventh streets and Gun Hill road, Borough of The Bronx.....	\$150,000 00
Bridges (extensions of) over Port Morris Branch Railroad, at Elton avenue, One Hundred and Sixty-second street and Washington avenue, Borough of The Bronx.....	50,000 00
	<hr/>
	\$200,000 00

—and that 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 two hundred thousand dollars (\$200,000), the proceeds whereof to be applied to the purposes aforesaid.

Which was lost by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

A unanimous vote being necessary according to the provisions of the amendment.

The Comptroller offered the following resolution appropriating \$100,000 for the expenses of the acquisition of sites for Carnegie Libraries, and conducting the proceedings for the condemnation thereof:

Resolved, That, pursuant to the provisions of chapter 580 of the Laws of 1901, the Board of Estimate and Apportionment hereby authorizes the Comptroller to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to the amount of one hundred thousand dollars (\$100,000), the proceeds whereof to be applied for the purpose of carrying out the provisions of said chapter 580 of the Laws of 1901 in paying the expenses of the acquisition of sites for Carnegie Libraries, and conducting the proceedings for the condemnation thereof.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Engineer of the Department of Finance relative to the fixing of the compensation to be paid by the Board of Managers of St. Vincent's Hospital for the privilege of constructing and maintaining a vault underneath the sidewalk in front of the new wing of said hospital on the corner of West Eleventh street and Seventh avenue, Manhattan:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 8, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Aldermen, by resolution adopted August 9, 1904, approved by the Acting Mayor August 12, 1904, grants permission "to the Board of Managers of St. Vincent's Hospital to construct and maintain a vault, as shown in the accompanying diagram, underneath the sidewalks in front of the new wing of St. Vincent's Hospital, to be constructed on the corner of West Eleventh street and Seventh avenue, in the Borough of Manhattan, provided that said Board of Managers of St. Vincent's

Hospital shall stipulate with the President of the Borough of Manhattan to save The City of New York free and harmless from any loss or damage that may be occasioned during the progress or subsequent to the completion of the work of constructing said vault. The work of constructing the said vault to be done in a manner approved by and under the direction and to the satisfaction of the President of the Borough of Manhattan, and the permission hereby granted shall continue only during the pleasure of the Board of Aldermen.

"And provided further, that the said Board of Managers of St. Vincent's Hospital shall pay to The City of New York, as compensation for the privilege hereby granted such amount as may be deemed equivalent therefor by the Board of Estimate and Apportionment, the payment or payments on said amount to be by the said Board of Estimate and Apportionment determined. And in case of any default being made at any time in making any payment fixed by the Board of Estimate and Apportionment, the license herein provided for shall cease and determine, without any action on the part of the Board of Aldermen, at the expiration of ninety days after such default."

I would report that the vault space required and requested as shown on the accompanying diagram contains 2,944.95 square feet (vault on Seventh avenue 90 feet 4 inches by 15 feet = 1,354.95 square feet; and vault on West Eleventh street, 79 feet 6 inches by 20 feet = 1,590 square feet).

The vault or vaults in question are under the sidewalks or between the house lines and the curb lines, and since they are so located, the authority or permit to construct same could be given by the President of the Borough of Manhattan, pursuant to article 19, sections 318 to 328, inclusive, of the Revised Ordinances of The City of New York, in force December 31, 1897, the compensation being calculated at not less than 30 cents nor more than \$2 per square foot, as specified in section 321.

On June 10, 1902, a similar resolution was adopted by the Board of Aldermen, approved by the Mayor June 24, 1902, granting permission to the Sisters of the Poor in charge of St. Francis' Hospital to construct and maintain a vault under the sidewalk on each side of their premises on the southeast corner of One Hundred and Forty-third street and Brook avenue, upon payment to The City of New York as compensation for the privilege such amount as may be deemed an equivalent by the Commissioners of the Sinking Fund.

In report dated July 8, 1902, I showed that the vault area of these vaults was 1,130 square feet, and recommended that the charge be computed upon the basis of 5 per cent of the assessed valuation of the abutting land exclusive of buildings; this amounted to \$93.22 per annum.

At a meeting of the Commissioner of the Sinking Fund July 17, 1902, "the President of the Board of Aldermen moved that the cost be placed at the minimum charge of 30 cents per square foot (page 660, Minutes of Commissioners of the Sinking Fund, 1902)."

This resolution was carried. Using this rate the amount fixed by the Commissioners of the Sinking Fund would have been \$339 (1,130 square feet, at 30 cents).

By resolution adopted by the Board of Aldermen July 31, 1902, approved by the Mayor August 12, 1902, the same permission was granted to the Sisters of the Poor in charge of St. Francis' Hospital as given in the former resolution, "upon payment to The City of New York as compensation for the privilege such nominal amount as may be deemed an equivalent by the President of the Borough of The Bronx, the maximum sum in question not to exceed \$10."

I have been informed by the office of the President of the Borough of The Bronx that the amount fixed and received for the vault privilege at One Hundred and Forty-third street and Brook avenue was \$10.

The vault privilege at Eleventh street and Seventh avenue, requested by the Board of Managers of St. Vincent's Hospital, is similar in all respects to the vault privilege granted to the Sisters of the Poor in charge of St. Francis' Hospital at One Hundred and Forty-third street and Brook avenue, except to area of vault space.

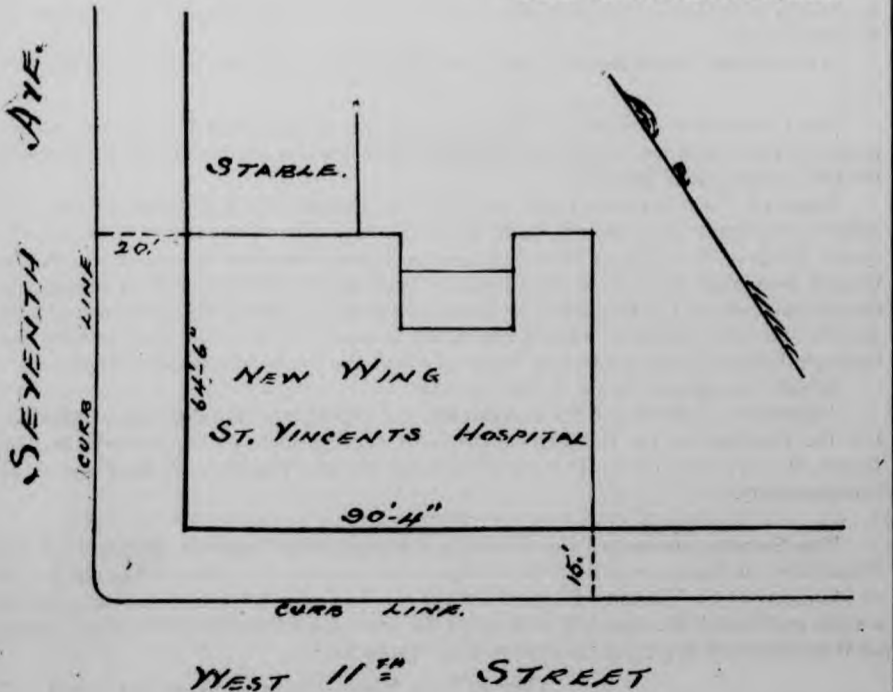
Vault area, Eleventh street and Seventh avenue..... 2,944.95 square feet.
Vault area, One Hundred and Forty-third street and Brook avenue 1,130.00 square feet.

Both are hospitals and do a great deal of charitable work.

For your guidance in determining the compensation to be fixed by the Board of Estimate and Apportionment, I submit the following table showing in full detail the amounts that would be chargeable against each vault, rated upon different bases:

	Vault at 143d Street and Brook Ave. Per Annum.	Vault at 11th Street and 7th Ave. Per Annum.
On the basis of assessed valuation.....	\$93 22	\$942 40
On the basis of \$0.30 per square foot.....	339 00	883 48
On the basis that \$10 was charged for the vault at One Hundred and Forty-third street and Brook ave- nue (comparison by area only).....	10 00	26 00

Respectfully,
EUG. E. McLEAN, Engineer.



SEPT. 8th 1904
C.M.

The following resolution was offered:

Resolved, That the compensation to be paid to the City by the Board of Managers of St. Vincent's Hospital, for the privilege of constructing and maintaining a vault underneath the sidewalks in front of the new wing of St. Vincent's Hospital, to be constructed on the corner of West Eleventh street and Seventh avenue, in the Borough of Manhattan, containing two thousand nine hundred and forty-four and ninety-five one-hundredths square feet (vault on Seventh avenue ninety feet four inches by fifteen feet—one thousand three hundred and fifty-four and ninety-five one-hundredths square feet; and vault on West Eleventh street seventy-nine feet six inches by twenty feet—one thousand five hundred and ninety square feet), shall be ten dollars (\$10), to be paid to the President of the Borough of Manhattan; the opening of the street and the relaying of the pavement to be done at the expense of the said Board of Managers of St. Vincent's Hospital, under the direction of the President of the Borough of Manhattan, and subject to such conditions as he may prescribe; provided also that the said Board of Managers of St. Vincent's Hospital shall give a satisfactory bond for the faithful performance of all conditions prescribed by the said President of the Borough of Manhattan and by resolution of the Board of Aldermen, adopted August 9, 1904, and approved by the Acting Mayor August 12, 1904; said bond to be approved by the Comptroller and filed in his office.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Commissioner of Public Charities, relative to an appropriation of \$250,000 for the erection of buildings and additions thereto, under his jurisdiction:

DEPARTMENT OF PUBLIC CHARITIES OF THE CITY OF NEW YORK,
FOOT OF EAST TWENTY-SIXTH STREET,
August 29, 1904.

To the Honorable Board of Estimate and Apportionment, J. W. STEVENSON, Secretary:

GENTLEMEN—Under date of June 10, 1904, your Board passed the following resolution:

"Resolved, That the resolution adopted by the Board of Estimate and Apportionment, at a meeting held May 6, 1904, in relation to the issue of Corporate Stock to the amount of two hundred and fifty thousand dollars (\$250,000), for the erection of buildings and additions thereto, under the jurisdiction of the Commissioner of Public Charities, be amended to read as follows:

"Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, the Board of Estimate and Apportionment hereby approves of the issue of Corporate Stock of The City of New York to the amount not exceeding two hundred and fifty thousand dollars (\$250,000), to provide means for the erection of new buildings and additions, improving and permanently bettering and equipping existing buildings, under the jurisdiction of the Commissioner of Public Charities, and that 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 two hundred and fifty thousand dollars (\$250,000), the proceeds whereof to be applied to the purposes aforesaid."

Under date of August 2 the Mayor returned to the Board of Aldermen, without his approval, an ordinance authorizing the issue of two hundred and fifty thousand dollars (\$250,000) of Corporate Stock for the Department of Public Charities, which passed their Honorable Body July 26, 1904, by reason of expiration of time, as provided in section 48 of the Amended Charter. The reason why he refused to approve this ordinance was that it was clerically inaccurate, in that it proposed to concur in the resolution of the Board of Estimate and Apportionment, dated May 6, 1904, whereas the resolution was duly amended by the Board of Estimate and Apportionment by a resolution dated June 10, which was really the resolution they meant to concur in.

I would therefore respectfully request your Board to reaffirm this resolution of June 10, as it seems that is the only way to get the Board of Aldermen to take action on the matter.

Respectfully,
JAMES H. TULLY, Commissioner.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by chapter 409 of the Laws of 1904, 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 two hundred and fifty thousand dollars (\$250,000), to provide means for the erection of new buildings and additions, and improving and permanently bettering and equipping existing buildings, under the jurisdiction of the Commissioner of Public Charities, and that 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 two hundred and fifty thousand dollars (\$250,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a petition of the Examiners of Charitable Institutions and Examiners of Dependent Children of the Department of Public Charities, for an appropriation of \$6,000 to pay their salaries, as restored, from June 1, 1904.

Which was referred to the Commissioner of Public Charities.

The matter of the consideration of issues of Special Revenue Bonds was laid over for a unanimous vote.

The Secretary presented the following communications from the President of the Borough of Richmond, Messrs. Carrere & Hastings, architects, and the Engineer of the Department of Finance, relative to an additional appropriation of \$250,000 for the construction and equipment of the Borough Building in the Borough of Richmond:

THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF RICHMOND,
NEW BRIGHTON, N. Y., August 10, 1904.

J. W. STEVENSON, Esq., Secretary, Board of Estimate and Apportionment, No. 280 Broadway, New York, N. Y.:

DEAR SIR—Of the \$300,000 appropriated towards the erection of Richmond Borough Hall, the following contracts have already been awarded:

Contract No. 1—For clearing the site, excavating, sheet piling and filling and grading required for the erection of Richmond Borough Hall..	\$5,580 00
Contract No. 2—Embracing all work and materials for the erection of Richmond Borough Hall	230,000 00
Contract No. 3—Embracing all work and materials for the electrical equipment of Richmond Borough Hall.....	7,998 00
Contract No. 4—Embracing all work and materials for the plumbing and drainage equipment of Richmond Borough Hall.....	9,400 00

Contract No. 5—Embracing all work and materials for the heating and power equipment of Richmond Borough Hall.....	21,994 00
Contract No. 6—Embracing all work and materials for the passenger and freight elevator equipment of Richmond Borough Hall.....	12,940 00
Total.....	\$287,912 00

The actual construction of the building began as soon as the weather permitted last Spring, and the structure is now up to the second floor beams; in fact most of the beams of this floor have already been laid.

Including the architects' fees on the work already done, the entire appropriation has now been exhausted, and it is necessary for me to ask the Board of Estimate and Apportionment for an additional appropriation to complete the work. I have asked the architects to make a careful estimate for me of the amount necessary to economically, but fittingly, complete the building, and I am advised that an additional appropriation of at least \$250,000 will be necessary for the purpose. Their letter in full is as follows:

JULY 20, 1904.

DEAR MR. CROMWELL—We beg to report to you regarding the further work necessary to complete the new Borough Hall for the Borough of Richmond, as follows:

We have completed our drawings for the interiors to a point so that we have been enabled to obtain intelligent estimates as to the cost.

The cost to complete the building including all interior work, other than the work now under contract, or work estimated for and for which the letting of contract is pending, we estimate will cost \$200,000.

For the completion of the work on the grounds, including all terraces, steps, copings, platforms, pavements and curbs, and for the necessary fittings and furnishings inside of the building, such as electric fixtures, etc., we estimate the cost to be \$50,000.

As the original appropriation is practically used up, this will make an additional appropriation of \$250,000 necessary.

These estimates are based on our drawings and on outline specification covering the work and is for all good work, but nothing that is at all extravagant.

"Yours very truly,

(Signed) CARRERE & HASTINGS."

I accordingly respectfully ask that an issue of Corporate Stock in the sum of \$250,000 be at once authorized by the Board of Estimate and Apportionment for the purpose of Building Richmond Borough Hall.

Yours respectfully,

GEORGE CROMWELL, President of the Borough.

CARRERE & HASTINGS, ARCHITECTS,
No. 28 EAST FORTY-FIRST STREET,
NEW YORK, September 8, 1904.

E. E. McLEAN, Esq., Engineer, Finance Department, No. 280 Broadway, New York:

DEAR SIR—In response to your request for further details regarding the proposed expenditure to complete the Richmond Borough Hall at St. George, S. I., for which an additional appropriation is asked for, we beg to state as follows:

The contracts that have been awarded and which have practically used up the appropriations granted, cover the excavation, the building of the structure itself without interior finish, the installation of plumbing, heating and power, elevators and all conduits and wiring for electric lighting and power.

To finish all of the interior of the building we have applied for an additional appropriation of \$200,000. The plans have been prepared with full details and specifications for this work, and we have obtained a figure from the J. C. Vreeland Building Company, now executing the contract for the main building, in amount of \$196,000. Allowing five per cent., which would be saved by obtaining competitive estimates, this will offset our commissions for professional services. We therefore feel justified in asking for the appropriation of \$200,000.

This contract would embrace the furring of all outside walls with terra cotta, the furring and lathing of ceilings, all plain plastering and the necessary ornamental plastering in court room, President's audience room and in main hallways; also all carpentry, including all window frames with sash and glass, all exterior doors, all interior doors, trims, sash, frames, glass, all interior wood partitions with glass; also ornamental iron work, including the stairways, elevator fronts, safe doors and the necessary shelving and metal filing cases in the vaults; also all marble work in the main halls, on the main stairs, slate base in all rooms and the terrazzo (crushed marble) floors throughout; also the glass linings for seven feet in height in toilet rooms, and including the main chute, telephone booths and two clocks in the towers. The contract would also include the furniture that is actually built in, but no portable furniture. This would complete the building in every respect in the interior, excepting only the electric fixtures which are mentioned hereafter.

We have also applied for a further appropriation of \$50,000 to complete the approaches around the building. This contract would include all necessary grading, building of retaining walls, of the steps, of the terrace walls and of all work on the exterior, including the curbing and sidewalks around the property.

This appropriation would also include the cost of all electric fixtures which will be necessary throughout the building and will leave the entire building and grounds complete.

In laying out this work and specifying for it we have aimed to get the building thoroughly fireproof, we have specified only the best materials, but have asked for nothing that is extravagant or unnecessary.

We trust that these explanations are clear to you, and we will be glad to give you any further details that you may require.

Yours truly,

CARRERE & HASTINGS.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 13, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Hon. George Cromwell, President of the Borough of Richmond, in communication under date of August 10, 1904, requests the Board of Estimate and Apportionment to authorize an additional issue of Corporate Stock in the sum of \$250,000, for the completion of the Richmond Borough Hall. I would report that the original architects' estimate for this building was \$400,000, but, as noted in my report dated July 21, 1903, the President of the Borough of Richmond in 1903 stated to me that the architects' plans could be so amended that a structure could be erected which would provide ample accommodations for the present and immediate future for \$300,000; there is also a clause in the architects' contract that states that the cost of the building shall be well within the sum of \$300,000; the total \$300,000 has been authorized for this work by the Board of Estimate and Apportionment as follows:

At meeting of May 23, 1902 (page 1059).....	\$200,000 00
At meeting of July 31, 1903 (page 1881).....	100,000 00

Of this appropriation the following contracts have already been awarded:

No. 1. For cleaning site, excavating, sheet piling and filling and grading.....	\$5,580 00
No. 2. Erection of building—structure without interior finish.....	230,000 00
No. 3. Electrical equipment.....	7,998 00
No. 4. Plumbing and drainage.....	9,400 00
No. 5. Heating and power equipment.....	21,994 00
No. 6. Elevators.....	12,940 00
Total.....	\$287,912 00

To this should be added the contract of the architects, Carrere & Hastings, which has been certified to for \$15,000; this will make the total liability to date \$302,912, which is more than the appropriation.

It will be noted that although \$300,000 was appropriated for the entire building, with this expenditure, the building will be far from completion, and it is absolutely necessary to appropriate an additional sum to finish the building.

To finish all of the interior of the building the architects estimate that it will cost \$200,000; this estimate is based upon a figure obtained from a builder. This contract will embrace the furring of all outside walls with terra cotta, the furring and lathing of ceilings, all plain plastering, and the necessary ornamental plastering in court-room, President's audience room, and in main hallways; also all carpentry, including all window frames with sash and glass, all exterior doors, all interior doors, trims, sash, frames, glass, all interior wood partitions with glass; also ornamental iron work, including the stairways, elevator fronts, safe doors, and the necessary shelving and metal filing cases in the vaults; also all marble work in main halls, on the main stairs, slate base in all rooms and the Terrazzo floors throughout; also the linings for seven feet in height in toilet rooms, and including the mail chute, telephone booths and two clocks in the towers. The contract would also include the furniture that is actually built in, but no portable furniture. The architects state that this will complete the building in every respect in the interior, excepting the electric fixtures; \$50,000 is requested to complete the approaches around the building. This contract will include all necessary grading, building of retaining walls, of the steps, of the terrace walls and of all work on the exterior, including the curbing and sidewalks around the property.

This appropriation will also include the cost of all the electric fixtures which will be necessary throughout the building, and will, I am informed by the architects, leave the entire building and grounds complete.

I have examined the general plans for this additional work, and, as stated before, it is absolutely necessary to have an additional appropriation to finish the building, and from my examination and interview with the architects, I am led to believe that nothing that is extravagant or unnecessary is specified, hence I think the Board of Estimate and Apportionment may properly authorize the Comptroller, pursuant to section 47 of the Amended Greater New York Charter, to issue additional Corporate Stock to the amount of \$250,000 to provide for the completion of the Richmond Borough Hall.

Respectfully,

EUG. E. McLEAN, Engineer.

The following resolution was offered:

Resolved, That, pursuant to the provisions of section 47 of the Greater New York Charter, as amended by Chapter 409 of the Laws of 1904, 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 two hundred and fifty thousand dollars (\$250,000), for the purpose of providing additional means for the construction and equipment of the Borough Building, in the Borough of Richmond, and that 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 two hundred and fifty thousand dollars (\$250,000), 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 Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Department of Docks and Ferries, requesting that favorable action be taken on its requests of June 14 and 16, that the salary of Dockmaster be fixed at the rate of \$1,800 per annum.

Laid over.

The Secretary presented the following report of the Auditor of Accounts, Department of Finance, relative to the claim of Norman S. Dike for \$1,000, alleged to be due him for services rendered by him in proceeding with and completing the execution of mandates, the execution of which was begun by him as Sheriff of Kings County before the expiration of his term of office and the execution of which he was required by law to complete:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 12, 1904.

In the Matter
of

Claim No. 31664, of Norman S. Dike, for \$1,000 alleged to be due to him for services rendered by him in proceeding with and completing the execution of mandates, the execution of which was begun by said Sheriff before the expiration of his term of office as Sheriff of Kings County, and the execution of which he was required by law to complete.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Norman S. Dike, former Sheriff of the County of Kings, makes a claim under chapter 705 of the Laws of 1901, amended by chapter 464 of the Laws of 1903, for \$1,000 alleged to be due to him for services rendered by him in proceeding with and completing the execution of mandates, the execution of which was begun by him while Sheriff of Kings County and before the expiration of his term of office, and the execution of which he was required by law to complete.

William W. Wingate on being examined before the Comptroller testified that on December 30, 1902, he was appointed as Counsel to former Sheriff Dike for the period of two years; that he is still acting as such; that he has maintained an office at No. 44 Court street, Borough of Brooklyn, where the business which came up during the term of former Sheriff Dike has been conducted; that said office is equipped with telephone, etc.; that at this office he has also conducted his private law practice, but included a reasonable portion of those charges against the Sheriff "as part of my expenses against him in carrying out the position of Counsel to the former Sheriff;" that the office rent is \$360 per annum, telephone service about \$80 per annum, stenographer \$400 per annum; that as Counsel for the Sheriff he has occupied himself during the year 1904 with winding up and finishing the matters pertaining to ex-Sheriff Dike previous to his expiration of office; that among those matters were ten foreclosures entitled "The Title Guarantee and Trust Company against Ocean Avenue Associations"; that all of these matters he has closed up since January 1, 1904; that in doing so it was necessary to prepare deeds, make up statements, prepare reports and file same; that there was also another foreclosure which he attended to, entitled "Kimberly vs. Hopkins"; that he considers that the sum of \$50 would be a reasonable compensation for attending to each of said foreclosures; that he estimates said amount on the basis of what a referee appointed by the Supreme Court would receive in similar cases; that in said foreclosure suits the mortgages involved averaged about \$2,000 each; that the other foreclosure suits which were attended to since January 1, 1904, were those of the Title Guarantee and Trust Company against Mercer, Sanborn against McKee and Grover against McNeely; that in connection with the latter case it was necessary for him to have a large number of consultations with the other attorneys with reference to closing said matters; that he was compelled to make a very thorough examination of the law as to whether or not he had a right to pay off the first mortgage or whether it would be necessary for him to deposit the surplus in the City Chamberlain's office; that he decided that he was compelled to pay over the surplus to the City Chamberlain "and refused to close on any other basis"; that the matter being taken to the Supreme Court this Court upheld this position; that the property was then advertised and sold; that the reasonable fee in connection with each of these foreclosures would be the sum of \$50.

Witness also testified that there were a large number of closings in matters where property was sold under executions and for which a Sheriff's certificate was given; that it is necessary at the expiration of the fifteen months, in which the creditors have

a right to redeem such property, for the Sheriff to give a deed, if demand for the same is made; that this was done in six or seven cases; that such cases involved the preparation of deeds, an examination of the certificate on file in the Register's office and of the records in the Sheriff's office; that a proper fee in each such case would be about \$15; that all of such services were rendered after January 1, 1904; that the other services for which compensation is claimed related to certain mandates which Sheriff Dike received before the expiration of his term of office; that most of the same have been entirely attended to and that others are still pending; that the matters, in connection with these services were rendered and are to be rendered, consist of replevin suits, and attachments against real property; that these matters necessitated consultations with various attorneys and the examination of the records in the Sheriff's office; that inasmuch as the office of the Sheriff is now a salary office and as the books of the Sheriff must be left at the office, it was necessary for him in preparing papers in connection with the above mandates to go to the office of the Sheriff for the purpose of consulting the records; that there were about ten attachments against property and about fifteen replevin suits, which necessitated such services on his part; that in connection with these matters he wrote a number of letters in answer to inquiries, and in general performed the duties of Counsel; that his services in connection with these replevin and attachment suits were reasonably worth the sum of \$500; that "I would like to explain here that when I presented a bill for these services in connection with mandates, I presented a statement which seemed to me we were entitled to at least \$4,000, and I was limited by law to \$1,000, as I am here"; that inasmuch as claimant is limited by law to \$1,000, he put in a claim for a lump sum of said amount.

Witness testified that the execution of all of said mandates were begun by Mr. Dike before the expiration of his term of office; that at the present time not a day goes by without at least one to five persons calling at his office with reference to matters and mandates which the Sheriff received before the expiration of his term of office for the purpose of executing the same; that these inquiries necessitate his constantly running to the office of the Sheriff to get the necessary information to answer the same; that no other person performed or was authorized to perform any services in connection with the matters relating to the unfinished business of former Sheriff Dike; that no other claim will be filed against The City of New York by former Sheriff Dike or by any other person for compensation for services in connection with his term of office as Sheriff of Kings County.

William P. Riggs, an Examiner in this Department, in a report made by him on this claim stated that William W. Wingate, Counsel for former Sheriff Norman S. Dike, has his office at No. 44 Court street, Borough of Brooklyn; that the books in said office show that said William W. Wingate is and has been engaged in closing up foreclosures, etc., commenced when Norman S. Dike was Sheriff of Kings County (1902); that the different foreclosure suits mentioned by Mr. Wingate in his testimony, with the exception of Kimberly against Hopkins, were closed in the year 1904; that he compared the cases mentioned in the testimony with the cases recorded in the Equity Ledger in his office and found them to be correct; that the records of the Title Guarantee and Trust Company in the County Clerk's office show that titles in said foreclosures were closed in the year 1904; that Mr. Wingate, Counsel for ex-Sheriff Dike performed the services mentioned by him in his testimony.

It appears that Claim No. 26280 of William E. Melody was filed for the sum of \$1,000 alleged to be due for professional services alleged to have been rendered in proceeding with and completing the execution of mandates subsequent to the expiration of his term of office as Sheriff of the County of Kings on January 1, 1904. Attached to said notice of claim was an affidavit made before a notary public by Edward Riegelmann, in which the said Riegelmann deposes that on or about December 31, 1903, he was appointed Counsel by William E. Melody, Sheriff of the County of Kings, pursuant to chapter 705 of the Laws of 1901 and chapter 464 of the Laws of 1903, among other things, for the purpose of proceeding with and completing the execution of mandates which the said Sheriff began to execute prior to the expiration of his term of office and the execution of which he was required by law to complete; that all of the services, for which the sum of \$1,000 was charged, were actually rendered and were necessary and proper in proceeding with and completing the execution of the aforesaid mandates.

It also appears that a former claim, No. 19132, was filed by Norman S. Dike for the sum of \$1,000 alleged to be due for services rendered in proceeding with and completing the execution of mandates received subsequent to the expiration of his term of office, January 1, 1903, as Sheriff of the County of Kings. Said claim, however, referred to the services rendered in the above connection during the year 1903. A report upon said Claim No. 19132 was made by the Division of Law and Adjustment of this Department on December 2, 1903, and transmitted to the Corporation Counsel with a request for his consideration and advice concerning the legal liability of the City in the premises. It was stated in said report that if, in accordance with the provisions of chapter 464 of the Laws of 1903, said claim be valid, the sum of \$1,000 would appear to be a reasonable allowance for the services alleged to have been rendered, and that the Board of Estimate and Apportionment, which is charged by the said law with the function of auditing and allowing such a charge, would be justified in making an appropriation for that amount for the year 1903.

Attention was also called to the fact that the term of the office of the former Sheriff expired four months prior to the passage of chapter 464 of the Laws of 1903, amending section 2 of chapter 705 of the Laws of 1901.

On December 15, 1903, in a communication to the Comptroller in reference to Claim No. 19132, the Corporation Counsel stated that no prohibition applies to the many cases of the kind under consideration; that at the time the law of 1903 was passed Mr. Dike was actually engaged as former Sheriff of the County of Kings, in conducting and in the performance of duties imposed upon him prior to the expiration of his term; that it was entirely competent for the Legislature to authorize the Board of Estimate and Apportionment to audit and allow the reasonable costs and counsel fees he had incurred, or which might be incurred by him, in the performance of those duties; and that the claim is brought purely within the terms of the enactment; that he was, therefore, of the opinion that the Board of Estimate and Apportionment should properly audit and allow the amount of the claim. Said claim was subsequently adjusted in the sum of \$1,000, and paid in said amount.

In reference to the claim of William E. Melody, above referred to, it is to be noted that on May 6, 1904, in a communication to the Comptroller, the Corporation Counsel stated that said claim is precisely similar to the claim of Norman S. Dike, concerning which he delivered an opinion to the Comptroller, under date of March 4, 1904; that in accordance with the views expressed in said opinion, he advised that it was the duty of the Board of Estimate and Apportionment to audit and allow the claim of Mr. Melody to the extent in its judgment it may deem reasonable in relation to the services performed, and that the amount thus audited and allowed will be a legal charge against the City.

Chapter 464 of the Laws of 1903, amending section 2 of chapter 705 of the Laws of 1901, provides that after the expiration of the term of office of each Sheriff of the County of Kings, the Board of Estimate and Apportionment of The City of New York is authorized to audit and allow as a charge against said City the reasonable costs and counsel fees paid or incurred by said Sheriff after the expiration of his term of office, in prosecuting or defending any action or proceeding brought by or against him for any alleged act or omission or misconduct in his official capacity by virtue or color of office, and in proceeding with and completing the execution of each mandate he began before the execution of his term of office, and the execution of which he is required by law to complete. Said act further provides that the "said sum so audited and allowed shall not exceed \$5,000 for any one year. Nor of the said \$5,000 shall the amount so audited and allowed for the reasonable costs and counsel fees for proceeding with and completing the execution of such mandates exceed \$1,000 in any one year, or be audited and allowed for a longer period than two years after the expiration of his term of office."

It appears that the term of office of former Sheriff Norman S. Dike expired on December 31, 1902.

It would, therefore, seem, in view of the foregoing, that the claim of Norman S. Dike, under chapter 464 of the Laws of 1903 is a valid charge against the City of New York to the extent of what would be a reasonable allowance for him for "proceeding with and completing the execution of mandates, the execution of which he began before the expiration of his said term of office, and the execution of which he is required by law to complete"; not exceeding, however, the sum of \$1,000. It would seem, in view of all the circumstances, that the sum of \$1,000 would be such reasonable allowance.

It is, therefore, respectfully recommended that this report and the other papers in the case be transmitted to the Board of Estimate and Apportionment for its information and for such action as it may deem advisable.

Respectfully,

JEREMIAH T. MAHONEY, Auditor of Accounts.

Approved:

JAMES F. MCKINNEY, Chief of Division.

Approved:

J. W. STEVENSON, Deputy and Acting Comptroller.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment, pursuant to the provisions of chapter 464 of the Laws of 1903, hereby audits and allows as a charge against The City of New York, the claim of Norman S. Dike for the sum of one thousand dollars (\$1,000), alleged to be the reasonable costs and counsel fees incurred by him as Sheriff of the County of Kings after the expiration of his term of office in proceeding with and completing the execution of mandates.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Corporation Counsel, requesting an amendment to a resolution adopted February 13, 1903, fixing the number of positions and the salaries thereof in the Law Department:

LAW DEPARTMENT,
OFFICE OF THE CORPORATION COUNSEL,
NEW YORK, September 14, 1904.

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

DEAR SIRS—I inclose herewith a draft of a proposed resolution, making a slight change in the salary list of this Department. The resolution abolishes the position of one Assistant at \$6,000 and one Assistant at \$3,000, making a total of \$9,000, and substitutes in place thereof one Assistant at \$5,000 and one Assistant at \$4,000, making a similar total of \$9,000.

The position of Assistant at \$6,000, which is thus abolished or reduced to \$5,000, is that formerly held by the late James M. Ward, and is now vacant, no appointment having been made up to the present time to fill the vacancy caused by Mr. Ward's death.

As the contemplated change in the salary list entails no additional expenditure and is made solely for the purpose of providing for the present needs of the Department, I presume that your Board will have no objection to the change, and I would be very glad to have the resolution passed and transmitted to the Board of Aldermen at the earliest possible date.

Respectfully yours,

JOHN H. DELANY, Corporation Counsel.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the resolution of the Board of Estimate and Apportionment, adopted February 13, 1903, and approved by the Board of Aldermen March 10, 1903, fixing the number of positions and the salaries thereof, in the Law Department, be amended by striking therefrom the following positions:

1 Assistant, per annum	\$6,000 00
1 Assistant, per annum	3,000 00

—and substituting in place thereof the following:

1 Assistant, per annum	\$5,000 00
1 Assistant, per annum	4,000 00

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Corporation Counsel, inclosing bill of costs as taxed by a Justice of the Supreme Court, pursuant to section 1447, chapter 466 of the Laws of 1901, in a proceeding brought to acquire certain property on Marcy avenue, Division avenue and Rodney street, Brooklyn, as a site for a Carnegie Library.

Referred to the Comptroller.

The Secretary presented the following resolution, transferring the sum of \$416.95 to "County Contingent Fund," New York County, for the year 1904:

Resolved, That the sum of four hundred and sixteen dollars and ninety-five cents (\$416.95) be and the same is hereby transferred from the appropriation made to the County of New York for the year 1904, entitled "Supplies for County Offices," the same being in excess of the amount required for the purposes thereof, to the appropriation made to the said County of New York, for the same year, entitled "County Contingent Fund," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Private Secretary to the President of the Borough of Brooklyn, relative to the transfer of \$5,000 to the account entitled "General Administration—Salaries":

THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN,
BROOKLYN, September 13, 1904.

Hon. JAMES W. STEVENSON, Secretary, Board of Estimate and Apportionment:

DEAR SIR—I am directed by the President of the Borough to request that the sum of five thousand dollars (\$5,000) be transferred from the appropriation made to the President of the Borough of Brooklyn for the year 1904, entitled and as follows:

"Salaries"—Bureau of Highways	\$2,000 00
"Salaries"—Bureau of Sewers	2,000 00
"Salaries and Wages"—Bureau of Public Buildings and Offices.....	1,000 00

Total..... \$5,000 00

—same being in excess of the amount required for the purposes thereof, to the appropriation for the year 1904, entitled "Salaries—General Administration," amount of such appropriation being insufficient.

Yours respectfully,

DENIS A. JUDD, Private Secretary.

The following resolution was offered:

Resolved, That the sum of five thousand dollars (\$5,000) be and the same is hereby transferred from the appropriations made to the President of the Borough of Brooklyn for the year 1904, entitled and as follows:

Bureau of Highways—"Salaries"	\$2,000 00
Bureau of Sewers—"Salaries"	2,000 00
Bureau of Public Buildings and Offices—"Salaries and Wages".....	1,000 00
	\$5,000 00

—the same being in excess of the amounts required for the purposes thereof, to the appropriation made to said President of the Borough of Brooklyn for the same year, entitled "General Administration—Salaries," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Fire Department relative to the transfer of \$45,178.76 within the appropriations made to said Department for the year 1904:

HEADQUARTERS FIRE DEPARTMENT, CITY OF NEW YORK,
NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET,
BOROUGH OF MANHATTAN, September 13, 1904.

To the Honorable Board of Estimate and Apportionment:

GENTLEMEN—I have the honor to request that your Honorable Board authorize the transfer of \$45,178.76 from the appropriation made to this Department in the Boroughs of Manhattan and The Bronx for the year 1904, entitled "Salaries—Engine and Hook and Ladder Companies Pay-rolls," there being a sufficient amount for the purpose, to the following appropriations for the same boroughs and year, to wit:

Salaries—Bureau Chief of Department Pay-roll.....	\$7,134 20
Salaries—Repair Shops Pay-roll.....	2,823 40
Salaries—Hospital and Training Stables Pay-roll.....	466 29
Salaries—Superintendent of Buildings Pay-roll.....	4,754 87
Apparatus, Supplies, Etc.....	30,000 00
	\$45,178 76

—the amounts of which are insufficient.

The \$30,000 which it is requested to transfer to the appropriation "Apparatus, Supplies, etc.," is required to improve the condition of the fire alarm telegraph system. It is proposed to relieve the circuits on the west and north side of the Borough of Manhattan by placing cables on the Sixth and Ninth avenue elevated structures, the consent of the Interborough Rapid Transit Company having been obtained. The cables will be similar to those attached to the Third avenue elevated structure from Sixty-seventh street to Hanover square in 1902 under an agreement with the Manhattan Company.

Respectfully,
NICHOLAS J. HAYES, Commissioner.

The following resolution was offered:

Resolved, That the sum of forty-five thousand one hundred and seventy-eight and seventy-six one hundredth dollars (\$45,178.76) be and the same is hereby transferred from the appropriation made to the Fire Department for the year 1904, Boroughs of Manhattan and The Bronx, entitled "Salaries—Engine and Hook and Ladder Companies Pay-rolls," the same being in excess of the amount required for the purposes thereof, to the appropriations made to said Department, for the same year, entitled and as follows:

Boroughs of Manhattan and The Bronx.

"Salaries—Bureau of Chief of Department Pay-roll".....	\$7,134 20
"Salaries—Repair Shops Pay-roll".....	2,823 40
"Salaries—Hospital and Training Stables Pay-roll".....	466 29
"Salaries—Buildings Superintendent Pay-roll".....	4,754 87
"Apparatus, Supplies, etc.".....	30,000 00
	\$45,178 76

—the amounts of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Department of Docks and Ferries requesting the fixing of the salary of the position of Assistant Engineer at the rate of \$4,000 per annum.

Laid over

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the institution of condemnation proceedings for the acquisition of property on Maurice and Columbia avenues and Carroll place, Borough of Queens, as a school site:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 13, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education on November 25, 1903, adopted the following resolution:

Resolved, That the Board of Education hereby selects and determines as an addition to the present site of Public School 78, in Local School District No. 42, Borough of Queens, the following described lands and premises, the assessed valuation of which, as shown by the books of record on file in the Department of Taxes and Assessments, is \$400.

Beginning at a point formed by the intersection of the southerly line of Maurice avenue with the easterly line of Columbia avenue, and running thence southerly along the easterly line of Columbia avenue ninety-seven (97) feet to the northerly line of the lands of Public School 78; thence easterly along the northerly line of said lands of Public School 78 twenty-five (25) feet to the westerly line of the lands of said Public School 78; thence northerly along the westerly line of lands of said Public School 78 ninety-six (96) feet to the southerly line of Maurice avenue; thence westerly along the southerly line of Maurice avenue twenty-five (25) feet to the easterly line of Columbia avenue, the point or place of beginning.

Beginning at a point formed by the intersection of the southerly line of Maurice avenue with the westerly line of Carroll place, and running thence southerly along the westerly line of Carroll place eighty-eight (88) feet to the northerly line of the lands of Public School 78; thence westerly along the northerly line of said Public School 78 twenty-five (25) feet to the easterly line of the lands of said Public School

78; thence northerly along the easterly line of the lands of said Public School 78 eighty-nine (89) feet to the southerly line of Maurice avenue; thence easterly along the southerly line of Maurice avenue twenty-five (25) feet to the westerly line of Carroll place, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

The property described in the above resolution consists of two corner lots fronting on Maurice avenue, Village of Winfield, needed to square out the site of Public School 78, making it 200 feet by about 142 feet. These lots are known on the tax book as Lots Nos. 19 and 26, Block 25, Winfield, Ward 2, Volume 4, and are assessed at \$250 each. Owners unknown. Lot No. 19, at the corner of Maurice and Columbia avenues, is 25 by 97 by 25 by 96 feet, and Lot No. 26, corner of Maurice avenue and Carroll place, is 25 by 88 by 25 by 89 feet. They have been fenced in and improved as part of the school site. No taxes have been paid on either lot for at least five years.

In this connection I wish to call attention to the fact that the school site, although standing on the tax books in the name of The City of New York, is not marked as exempt property, but is assessed regularly for taxes, and reported to the Bureau of Arrears. I am also informed that the High School at Richmond Hill has also been reported to the Bureau of Arrears for unpaid taxes for at least one year. I do not understand why these properties are not entered on the exempt list.

Being unable therefore to negotiate with the owners, I would respectfully recommend that the property be acquired by condemnation proceedings.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Board of Education in the matter of the selection of the following-described lands and premises for school purposes, in the Borough of Queens:

Beginning at a point formed by the intersection of the southerly line of Maurice avenue with the easterly line of Columbia avenue, and running thence southerly along the easterly line of Columbia avenue ninety-seven (97) feet to the northerly line of the lands of Public School 78; thence easterly along the northerly line of said lands of Public School 78 twenty-five (25) feet to the westerly line of the lands of said Public School 78; thence northerly along the westerly line of lands of said Public School 78 ninety-six (96) feet to the southerly line of Maurice avenue; thence westerly along the southerly line of Maurice avenue twenty-five (25) feet to the easterly line of Columbia avenue, the point or place of beginning.

Beginning at a point formed by the intersection of the southerly line of Maurice avenue with the westerly line of Carroll place, and running thence southerly along the westerly line of Carroll place eighty-eight (88) feet to the northerly line of the lands of Public School 78; thence westerly along the northerly line of said Public School 78 twenty-five (25) feet to the easterly line of the lands of said Public School 78; thence northerly along the easterly line of the lands of said Public School 78 eighty-nine (89) feet to the southerly line of Maurice avenue; thence easterly along the southerly line of Maurice avenue twenty-five (25) feet to the westerly line of Carroll place, the point or place of beginning. Assessed valuation of the above described lands and premises, as shown by the books of record on file in the Department of Taxes and Assessments, is \$500.

—and the Corporation Counsel be and he hereby is authorized to institute condemnation proceedings for the acquisition of all the parcels of land within the area of the above described premises.

Nothing in this resolution contained shall be construed as preventing the Comptroller of The City of New York from entering into contracts for the acquisition of any portion of the above described property at private sale, subject to the approval of this Board.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the institution of condemnation proceedings for the acquisition of property on the northeast corner of Amsterdam avenue and Sixty-fifth street, Borough of Manhattan, as a school site:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 14, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—At a meeting held the 11th day of July, 1904, the Board of Education adopted the following resolution:

Resolved, That so much of the report and resolutions adopted by the Executive Committee on April 20, 1904 (see Journal, pages 654-655), and by the Board of Education on April 27, 1904 (see Journal, page 703), as relates to the selection of property on the east side of the High School of Commerce, Borough of Manhattan, for school purposes, be and the same is hereby rescinded.

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following described lands and premises on Amsterdam avenue and West Sixty-fifth street, Borough of Manhattan; the assessed valuation of which as shown by the books of record on file in the Department of Taxes and Assessments, is \$83,000:

Beginning at a point formed by the intersection of the easterly line of Amsterdam avenue with the northerly line of West Sixty-fifth street, and running thence easterly along the northerly line of West Sixty-fifth street one hundred (100) feet to the westerly line of lands belonging to The City of New York; thence northerly along the westerly line of said lands of The City of New York one hundred (100) feet five (5) inches; thence westerly and parallel with West Sixty-fifth street one hundred (100) feet to the easterly line of Amsterdam avenue; thence southerly along the easterly line of Amsterdam avenue one hundred (100) feet five (5) inches to the northerly line of West Sixty-fifth street, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of lands and premises above described.

The property described in the above resolution is a plot fronting 100 feet 5 inches on the east side of Amsterdam avenue and 100 feet on the north side of West Sixty-fifth street by 100 feet 5 inches by 100 feet, and is known on the tax books as Lots Nos. 1 (double), 3 and 4, in Block 1137, Section 4, volume 3. It adjoins a vacant plot in West Sixty-fifth street 100 by 100 feet 5 inches, recently acquired as an addition to the site of the High School of Commerce. This is a poor portion of Amsterdam avenue, being down in a hollow and fronting the gas works, and where the buildings are mostly old three and four story tenements with stores.

The price for the plot, 100 by 100 feet 5 inches, in West Sixty-fifth street, was \$72,500, but this included excavation and other expenses incurred by the owner up to the time the City desired the property.

Lot No. 1, on the northeast corner of Amsterdam avenue and West Sixty-fifth street, 50 feet 2½ inches by 100 feet, is assessed:

Land	\$37,000 00
Buildings	8,000 00
	\$45,000 00

—and is owned by Rose Harris, who is in Europe. Her attorney is Joseph Brewster of No. 108 Broadway.

Lot No 3, 25 feet 1 1/4 inches by 100 feet, has an old four-story brick store and tenement building, 25 by 50 feet, with a two-story frame addition covering the remainder of the lot. The property is assessed:

Land	\$15,000 00
Buildings	6,000 00
Total	\$21,000 00

—and is owned by Carrie Dorschel of Fort Lee, N. J. There is a life interest in this property.

Lot No. 4, 25 feet 1 1/4 inches by 100 feet, has an old three-story brick store and tenement, 25 by 50 feet, and extension, and an old one-story frame stable in the rear. The property is assessed:

Land	\$15,000 00
Buildings	2,000 00
Total	\$17,000 00

—Owner, John G. Osterberg, on premises.

Inasmuch as the City will have to condemn one of the parcels of land in order to cut off the life interest, and our inability to negotiate with the representatives of the owner of the Harris property at private sale, I would respectfully recommend that the Board of Estimate and Apportionment approve of the action of the Board of Education in the selection of this site and authorize the institution of condemnation proceedings for the acquisition thereof.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

To the Board of Education:

The Committee on Sites, to which was referred a communication from the Secretary of the Board of Estimate and Apportionment transmitting extracts from the Minutes of a meeting held June 17, 1904, amending a resolution adopted April 22, 1904, approving of the selection of properties on the east and west sides of the High School of Commerce, Borough of Manhattan, and authorizing the Corporation Counsel to institute condemnation proceedings for the acquisition of title thereto, for school purposes, by authorizing the purchase only of that portion of the site selected on the west side of the said high school, and eliminating therefrom all action relative to the property on the east side of said school, respectfully reports as follows:

On April 20 and 27, 1904 (see Journal, pages 654 and 703), property on West Sixty-fifth street, consisting of a plot of land 100 feet by 100 feet 5 inches on the east side of the High School of Commerce, and a plot 100 feet by 100 feet 5 inches on the west side of the said school, was selected for the purpose of erecting thereon additions to said high school.

On April 22, 1904, the Board of Estimate and Apportionment approved of the selection of said property and authorized the Corporation Counsel to institute condemnation proceedings for the acquisition of title to both plots of land.

On June 3, 1904, the Board of Estimate and Apportionment authorized the purchase of the plot of land on the west side of the school building at a price not exceeding \$72,500, and title thereto was acquired by purchase on July 1, 1904.

On June 17, 1904, the Board of Estimate and Apportionment reconsidered the resolution adopted on April 22, 1904, and amended the same so as to provide only for the purchase of the property on the west side of the building, eliminating all mention of the property on the east side thereof.

Your Committee is informed that the Board of Estimate and Apportionment will not authorize the acquisition of the property on the east side of said high school, but will approve of the selection of additional property on the west side, running from the westerly line of the plot acquired on July 1, 1904, to the easterly line of Amsterdam avenue.

Your Committee is of the opinion that the property originally selected is the most suitable for the purpose for which it was to have been acquired, but inasmuch as the Board of Estimate and Apportionment refuses to authorize the acquisition of the property on the east side of the school, and an addition thereto is imperatively necessary, it is recommended that the action taken on April 20 and April 27, 1904, be rescinded in so far as it relates to the selection of the property on the east side of the High School of Commerce, and that, in lieu thereof, additional property be selected on the west side of the building.

The following resolutions are submitted for adoption:

Resolved, That so much of the report and resolutions adopted by the Executive Committee on April 20, 1904 (see Journal, pages 654 and 655), and by the Board of Education on April 27, 1904 (see Journal, page 703), as relates to the selection of property on the east side of the High School of Commerce, Borough of Manhattan, for school purposes, be and the same is hereby rescinded.

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following-described lands and premises on Amsterdam avenue and West Sixty-fifth street, Borough of Manhattan, the assessed valuation of which, as shown by the books of record on file in the Department of Taxes and Assessments, is eighty-three thousand dollars:

Beginning at a point formed by the intersection of the easterly line of Amsterdam avenue with the northerly line of West Sixty-fifth street and running thence easterly along the northerly line of West Sixty-fifth street one hundred (100) feet to the westerly line of lands belonging to The City of New York; thence northerly along the westerly line of said lands of The City of New York one hundred (100) feet five (5) inches; thence westerly and parallel with West Sixty-fifth street one hundred (100) feet to the easterly line of Amsterdam avenue; thence southerly along the easterly line of Amsterdam avenue one hundred (100) feet five (5) inches to the northerly line of West Sixty-fifth street, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of lands and premises above described.

A true copy of report and resolutions adopted by the Board of Education on July 11, 1904.

FRED H. JOHNSON, Assistant Secretary, Board of Education.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Board of Education in the matter of the selection of the following described premises for school purposes in the Borough of Manhattan:

Beginning at a point formed by the intersection of the easterly line of Amsterdam avenue with the northerly line of West Sixty-fifth street and running thence easterly along the northerly line of West Sixty-fifth street one hundred (100) feet to the westerly line of lands belonging to The City of New York; thence northerly along the westerly line of said lands of The City of New York one hundred (100) feet five (5) inches; thence westerly and parallel with West Sixty-fifth street one hundred (100) feet to the easterly line of Amsterdam avenue; thence southerly along the easterly line of Amsterdam avenue one hundred (100) feet five (5) inches to the northerly line of West Sixty-fifth street, the point or place of beginning.

Assessed valuation of the above-described lands and premises, as shown by the books of record on file in the Department of Taxes and Assessments, is \$83,000.

—and the Corporation Counsel be and he is hereby authorized to institute condemnation proceedings for the acquisition of all of the parcels of land within the area of the above-described premises.

Nothing in this resolution contained shall be construed as preventing the Comptroller of The City of New York from entering into contracts for the acquisition of any portion of the above-described property at private sale, subject to the approval of this Board.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the institution of condemnation proceedings for the acquisition of property on Sackman street, and Christopher avenue south of Belmont avenue, Borough of Brooklyn, for a school site:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 13, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education at a meeting held April 27, 1904, adopted the following resolution:

Resolved, That the action taken by the Board of Education on March 23, 1904 (see Journal, page 574), in selecting and determining as a site for school purposes certain lands and premises on Belmont avenue, Powell and Junius streets, in the Borough of Brooklyn, be and the same is hereby rescinded.

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following-described lands and premises on Christopher and Sackman streets, south of Belmont avenue, in Local School Board District No. 39, Borough of Brooklyn, the assessed valuation of which, as shown on the books of record, on file in the Department of Taxes and Assessments, is fifteen thousand nine hundred dollars:

Beginning at a point on the westerly line of Sackman street distant one hundred (100) feet southerly from the southerly line of Belmont avenue, and running thence southerly along the westerly line of Sackman street one hundred and fifty (150) feet; thence westerly and parallel with Belmont avenue two hundred (200) feet to the easterly line of Christopher street; thence northerly along the easterly line of Christopher street one hundred and fifty (150) feet; thence easterly and again parallel with Belmont avenue two hundred (200) feet to the westerly line of Sackman street, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

This is a plot of ground 150 by 200 feet, located south of Belmont avenue 100 feet and running through from Christopher avenue to Sackman street, in the Brownsville section of the Borough of Brooklyn. It is known on the tax-books as Lots Nos. 9 to 14, inclusive, on Christopher avenue and 25 to 30, inclusive, on Sackman street, in Block 3744, section 12, volume 3.

On the 13th day of July, 1904, this office transmitted a communication to the Board of Education in the matter if it were absolutely necessary that the Board of Education should require the site described in the above resolution, inasmuch as the site selected was in a stone's throw of School 84 at Stone street and Pitkin avenue, School 66 at Watkins and Osborne streets, and School 109 at Dumont avenue and Sackman street, five and one-half blocks from School 125 at Rockaway avenue and Blake street.

The Board of Education, in a communication under date of July 20, which is hereto annexed, answers the communication of July 14, and states that they do not see how they can get along without this school.

The prices asked for the real estate is, in my opinion, excessive, and I would respectfully recommend that the Board of Estimate and Apportionment adopt a resolution approving the selection of this site and authorize the institution of condemnation proceedings for the acquisition thereof.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

To the Board of Education:

The Committee on Sites respectfully reports that it has given further consideration to the matter of the acquisition of the site heretofore selected on Belmont avenue, Powell and Junius streets, Borough of Brooklyn, and recommends that the action taken in selecting said site be rescinded, and that, in lieu thereof, a plot 150 feet by 200 feet on Christopher and Sackman streets, beginning one hundred feet south of Belmont avenue, be selected, your Committee having been informed that the last-mentioned site can be obtained at a smaller cost and with less delay than the site originally selected.

A site is needed for a large school, to reduce the very serious congestion which exists in nearly every school in this district and to provide for future growth of the neighborhood, where building operations are being carried on very extensively. This district is already the most seriously congested in Brooklyn, and unless relief is speedily had, the schools in this neighborhood will be simply overrun with children and unable to cope with the educational problem. It is the intention of the Board of Education to erect a new building as soon as title to the last-mentioned site shall have vested in the City; provided sufficient funds are granted therefor by the Board of Estimate and Apportionment.

The following resolutions are submitted for adoption:

Resolved, That the action taken by the Board of Education on March 23, 1904 (see Journal, page 574), in selecting and determining as a site for school purposes certain lands and premises on Belmont avenue, Powell and Junius streets, in the Borough of Brooklyn, be and the same is hereby rescinded.

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following-described lands and premises on Christopher and Sackman streets, south of Belmont avenue, in Local School Board District 39, Borough of Brooklyn, the assessed valuation of which, as shown by the Books of Record on file in the Department of Taxes and Assessments, is \$15,000:

Beginning at a point on the westerly line of Sackman street distant one hundred (100) feet southerly from the southerly line of Belmont avenue, and running thence southerly along the westerly line of Sackman street one hundred and fifty (150) feet, thence westerly and parallel with Belmont avenue two hundred (200) feet to the easterly line of Christopher street, thence northerly along the easterly line of Christopher street one hundred and fifty (150) feet, thence easterly and again parallel with Belmont avenue two hundred (200) feet to the westerly line of Sackman street, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be, and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

A true copy of report and resolutions adopted by the Board of Education on April 27, 1904.

A. EMERSON PALMER, Secretary, Board of Education.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Board of Education in the matter of the selection of the following-described premises for school purposes, in the Borough of Brooklyn:

Beginning at a point on the westerly line of Sackman street distant one hundred (100) feet southerly from the southerly line of Belmont avenue, and running thence southerly along the westerly line of Sackman street one hundred and fifty (150) feet, thence westerly and parallel with Belmont avenue two hundred (200) feet to the easterly line of Christopher street, thence northerly along the easterly line of Christopher street one hundred and fifty (150) feet; thence easterly and again parallel with Belmont avenue two hundred (200) feet to the westerly line of Sackman street, the point or place of beginning.

Assessed valuation of the above-described lands and premises, as shown by the books of record on file in the Department of Taxes and Assessments, is \$15,900.

—and the Corporation Counsel be and he hereby is authorized to institute condemnation proceedings for the acquisition of all the parcels of land within the area above described.

Nothing in this resolution contained shall be construed as preventing the Comptroller of The City of New York from entering into contracts for the acquisition of any portion of the above-described property at private sale, subject to the approval of this Board.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the institution of condemnation proceedings for the acquisition of property on East Seventy-seventh and Seventy-eighth streets, Borough of Manhattan, for school purposes:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 12, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—At a meeting of the Board of Education held June 22, 1904, the following resolution was adopted:

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following-described lands and premises on East Seventy-seventh street and East Seventy-eighth street, in the rear of Public School 158, in Local School Board District No. 15, Borough of Manhattan, the assessed valuation of which, as shown by the books of record on file in the Department of Taxes and Assessments, is fourteen thousand dollars:

Beginning at a point formed by the intersection of the northerly line of East Seventy-seventh street with the easterly line of the lands of Public School 158, which point is distant 123 feet easterly from the easterly line of Avenue A, and running thence northerly along the said easterly line of the lands of Public School 158, 204 feet 4 inches to the southerly line of East Seventy-eighth street; thence easterly along the southerly line of East Seventy-eighth street 50 feet; thence southerly and parallel with Avenue A 204 feet 4 inches to the northerly line of East Seventy-seventh street; thence westerly along the northerly line of East Seventy-seventh street 50 feet to the easterly line of the lands of Public School 158, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be, and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

This is a plot 50 feet by 204 feet 4 inches, located 123 feet east of Avenue A, adjoining the present site of Public School 158 and extending through from Seventy-seventh to Seventy-eighth streets, and is known on the tax books as Lots Nos. 6 and 7, in East Seventy-seventh street, and Nos. 46 and 47 in East Seventy-eighth street, Block 1489, section 5, volume 4. The lots are assessed at \$3,500 each, or a total of \$14,000, in the name of the Protestant Episcopal Church School. The agents are J. Edgar Leaycraft & Co., of No. 19 West Forty-second street, Manhattan; owner's asking price, \$30,000.

Seventy-eighth street is paved with granite from Avenue A to the river, but Seventy-seventh street has neither pavement, curbing nor sidewalks east of Avenue A, except a sidewalk in front of the present school site. The whole plot will average at least ten feet above grade, earth and rock excavation.

In February last, the City purchased a plot 50 feet by 102 feet 2 inches for a bath site, on the north side of Seventy-sixth street, east of Avenue A, for \$11,000, but these lots fronted on a paved street, and were not more than five feet above grade, with earth excavation, while the school lots are ten feet above grade, and have much rock, and Seventy-seventh street is yet to be improved.

We have been unable to agree with the owner as to the price in the matter of the acquisition of this property at private sale, and I would therefore respectfully recommend that the Board of Estimate and Apportionment authorize the institution of condemnation proceedings for the acquisition of this site, which is assessed for the purposes of taxation at \$14,000.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

To the Board of Education:

The Committee on Sites respectfully reports that it has given careful consideration to the matter of acquiring property upon which to erect a much-needed addition to Public School 158, Borough of Manhattan, and recommends that a strip of land fifty feet wide, running from East Seventy-seventh street to East Seventy-eighth street, in the rear of said school building, be selected. It is the intention of the Board of Education to erect said addition as soon as title to the property mentioned shall have vested in The City of New York, provided sufficient funds are granted therefor by the Board of Estimate and Apportionment.

The following resolutions are submitted for adoption:

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following-described lands and premises on East Seventy-seventh and East Seventy-eighth streets, in the rear of Public School 158, in Local School Board District No. 15, Borough of Manhattan, the assessed valuation of which, as shown by the books of record on file in the Department of Taxes and Assessments, is fourteen thousand dollars:

Beginning at a point formed by the intersection of the northerly line of East Seventy-seventh street with the easterly line of the lands of Public School 158, which point is distant one hundred and twenty-three (123) feet easterly from the easterly line of Avenue A, and running thence northerly along the said easterly line of the lands of Public School 158 two hundred and four (204) feet four (4) inches to the southerly line of East Seventy-eighth street; thence easterly along the southerly line of East Seventy-eighth street fifty (50) feet; thence southerly and parallel with Avenue A two hundred and four (204) feet four (4) inches to the northerly line of East Seventy-seventh street; thence westerly along the northerly line of East Seventy-seventh street fifty (50) feet to the easterly line of the lands of Public School 158, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

A true copy of report and resolution adopted by the Board of Education June 23, 1904.

J. A. DILLON, Chief Clerk, Board of Education.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Board of Education in the matter of the selection of the following described premises in the Borough of Manhattan, to be used for school purposes:

Beginning at a point formed by the intersection of the northerly line of East Seventy-seventh street with the easterly line of the lands of Public School No. 158, which point is distant 123 feet easterly from the easterly line of Avenue A, and running thence northerly along the said easterly line of the lands of Public School 158 204 feet 4 inches to the southerly line of East Seventy-eighth street; thence easterly along the southerly line of East Seventy-eighth street 50 feet; thence southerly and parallel with Avenue A 204 feet 4 inches to the northerly line of East Seventy-seventh street; thence westerly along the northerly line of East Seventy-seventh street 50 feet to the easterly line of the lands of Public School 158, the point or place of beginning.

Assessed valuation of the lands and premises above described, as shown by the books of record on file in the Department of Taxes and Assessments, \$14,000.

—and the Corporation Counsel be and he hereby is authorized to institute condemnation proceedings for the acquisition of all of the parcels of land within the area of the above described premises.

Nothing in this resolution contained shall be construed as preventing the Comptroller of The City of New York from entering into contracts for the acquisition of any portion of the above described premises at private sale, subject to the approval of this Board.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the institution of condemnation proceedings for the acquisition of property on Barretto and Fox streets, Borough of The Bronx, for a school site:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 12, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education at a meeting held June 22, 1904, adopted the following resolution:

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following described lands and premises on Fox and Barretto streets, adjoining Public School 20, in Local School Board District No. 24, Borough of The Bronx, the assessed valuation of which, as shown by the books of record on file in the Department of Taxes and Assessments, is \$4,600:

Beginning at a point formed by the intersection of the easterly line of Barretto street with the southerly line of the lands of Public School 20, which point is distant 110.07 feet southerly from the southerly line of East One Hundred and Sixty-seventh street; and running thence southerly along the easterly line of Barretto street 50 feet; thence easterly at right angles to Barretto street 200 feet to the westerly line of Fox street; thence northerly along the westerly line of Fox street 50 feet to the southerly line of the lands of Public School 20; thence westerly along the said southerly line of the lands of Public School 20 200 feet to the easterly line of Barretto street, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

This is a strip of land 50 by 200 feet, extending through from Barretto to Fox streets, adjoining the present site of Public School 20 on the south, and is known on the tax books as Lots Nos. 25 and 26, 41 and 42, in Block 2726, section 10, volume 3.

This property is close to East One Hundred and Sixty-seventh street and is only a short block distant from the elevated railroad (subway) station at Westchester avenue and the Southern Boulevard.

There is a ledge of rock at least 20 feet high on the Fox street front of the property and the whole plot will average 10 feet above grade, rock excavation. Barretto street is paved with asphalt and Fox street with granite blocks. The tax valuation is as follows:

Lots Nos. 25 and 26, "Unknown".....	\$2,900 00
Lot No. 41, Tiffany estate, and Lot No. 42, "Unknown," Fox street.....	1,800 00
Total.....	\$4,700 00

—not \$4,600, as stated in the resolution of the Board of Education.

I would respectfully recommend that the Board of Estimate and Apportionment approve the request of the Board of Education and authorize the institution of condemnation proceedings for the acquisition of this site, which is assessed for the purposes of taxation at \$4,700.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

To the Board of Education:

The Committee on Sites respectfully reports that it has given careful consideration to the matter of acquiring an addition to the present site of Public School 20, Borough of The Bronx, for play-ground purposes, and to provide for the future needs of the district, and recommends that a strip of land fifty feet wide in the rear of said school be acquired. It is the intention of the Board of Education to improve said additional property for school purposes as soon as title thereto shall have vested in The City of New York, provided sufficient funds are granted therefor by the Board of Estimate and Apportionment.

The following resolutions are submitted for adoption:

Resolved, That the Board of Education hereby selects and determines as a site for school purposes the following described lands and premises on Fox and Barretto streets, adjoining Public School 20, in Local School Board District No. 24, Borough of The Bronx, the assessed valuation of which, as shown by the books of record on file in the Department of Taxes and Assessments, is \$4,600:

Beginning at a point formed by the intersection of the easterly line of Barretto street with the southerly line of the lands of Public School 20, which point is distant one hundred and ten and seven one-hundredths (110.07) feet southerly from the southerly line of East One Hundred and Sixty-seventh street; and running thence southerly along the easterly line of Barretto street fifty (50) feet; thence easterly at right angles to Barretto street two hundred (200) feet to the westerly line of Fox street; thence northerly along the westerly line of Fox street fifty (50) feet to the southerly line of the lands of Public School 20; thence westerly along the said southerly line of the lands of Public School 20 two hundred (200) feet to the easterly line of Barretto street, the point or place of beginning.

Resolved, That the Board of Estimate and Apportionment be and it is hereby requested to take such action as may be necessary and proper for the acquisition of the lands and premises above described.

A true copy of report and resolutions adopted by the Board of Education June 22, 1904.

T. A. DILLON, Chief Clerk, Board of Education.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Board of Education in the matter of the selection of the following described lands and premises for school purposes, in the Borough of The Bronx:

Beginning at a point formed by the intersection of the easterly line of Barretto street with the southerly line of the lands of Public School 20, which point is distant 110.07 feet southerly from the southerly line of East One Hundred and Sixty-seventh street; and running thence southerly along the easterly line of Barretto street fifty (50) feet; thence easterly at right angles to Barretto street 200 feet to the westerly line of Fox street; thence northerly along the westerly line of Fox street 50 feet to the southerly line of the lands of Public School 20; thence westerly along the said southerly line of the lands of Public School 20 200 feet to the easterly line of Barretto street, the point or place of beginning.

Assessed valuation of the lands and premises above described, as shown by the books of record on file in the Department of Taxes and Assessments, is \$4,700.

—and the Corporation Counsel be and he hereby is authorized to institute condemnation proceedings for the acquisition of all of the parcels of land within the area of the above described premises.

Nothing in this resolution contained shall be construed as preventing the Comptroller of The City of New York from entering into contracts for the acquisition of any portion of the above described property at private sale, subject to the approval of this Board.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the purchase at private sale of property known as Garretson Farm, in the Borough of Queens, for a Truant Home:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
July 25, 1904.

Hon. EDWARD M. GROUT, *Comptroller*:

SIR—The Board of Education has requested the Board of Estimate and Apportionment to acquire at private sale a piece of property located on Jamaica road, near the North Hempstead turnpike, containing 107.06 acres, for the purpose of a modern truant home, as planned by the Committee on Special Schools. The one submitted by the Board of Education is known as the Garretson Farm, containing 93.2 acres, and the price submitted was at the rate of \$750 an acre.

Pending negotiations the Garretson Farm was taken out of the market, and the farm across the road, known as the Wright Farm, containing 107.46 acres, has been offered to the City at \$750 an acre. As the location of this farm has met with the approval of Mr. Warburg, Chairman of the Committee on Special Schools, I would respectfully recommend that the Board of Estimate and Apportionment adopt a resolution authorizing the acquisition of the Wright Farm, located on Jamaica road, near the North Hempstead turnpike, containing 107.06 acres, at a price not exceeding \$72,250.

Respectfully submitted for approval

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Board of Education in the matter of the selection of the following-described premises in the Borough of Queens:

All that certain tract or parcel of land which was conveyed to Edmund Farrington by Nehemiah Merritt, situate, lying and being in the late Township of Flushing, in the said County of Queens, and being a part of a farm heretofore purchased by Benjamin Cock of Thomas Willett, bounded as follows:

Beginning at a pair of bars on a public road from Flushing to Jamaica and adjoining the farm now or formerly belonging to Benjamin Cock; running thence along the said road south 4 degrees and 30 minutes, east 6 chains 84 links; thence south 6 degrees and 15 minutes, west 19 chains to the corner of a piece of woodland belonging now or formerly to the said Benjamin Cock; thence along said woodland and the land now or formerly belonging to Edmund Underhill, William Wright, the negro man named Troy and Isaac Brinkerhoof, severally; thence north 77 degrees, west 10 chains and 77 links; thence north 78 degrees and 15 minutes, west 8 chains and 16 links; thence north 79 degrees and 20 minutes, west 10 chains and 43 links; thence north 14 degrees and 30 minutes, east 6 chains; thence south 85 degrees and 30 minutes, west 16 chains and 20 links to the land now or formerly of the late Lewis Cornell; thence along said land north 7 degrees, east 27 chains and 31 links to a certain pond; thence, dividing said pond and running on the division line between the farm now or formerly owned by said Benjamin Cock and the tract hereby described, south 71 degrees and 15 minutes, east 22 chains and 47 links, to a large stone, and thence 76 degrees east, 21 chains and 6 links to the place of beginning, containing 100 acres, more or less; together with all the right, title and interest of the owner of said premises of, in and to the roads in front thereof to the centre thereof,

—and the Comptroller of The City of New York is hereby authorized to enter into contracts for the purchase of the above-described premises at a price not exceeding seventy-five thousand two hundred and fifty dollars (\$75,250), said contract to be submitted to the Corporation Counsel for his approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a report of the Appraiser of Real Estate, Department of Finance, recommending that the request of the Board of Education for the acquisition of property adjoining Public School 67, on the west side of Webster avenue, in the Borough of Queens, be referred back for information as to whether it would not be more economical to acquire a site 75 feet by 100 feet, instead of one 18 feet by 100 feet.

In accordance with such recommendation the report was referred to the Board of Education.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, relative to the acquisition by purchase at private sale of property on the corner of Hicks and Middagh streets, Brooklyn, for a school site:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 9, 1904.

Hon. EDWARD M. GROUT, *Comptroller*:

SIR—At a meeting of the Board of Estimate and Apportionment, held on July 22, 1903, a resolution was adopted, authorizing the institution of condemnation proceedings for the acquisition of a piece of property on the corner of Hicks and Middagh streets, Borough of Brooklyn, intended to be used for school purposes, at which time I made a report, as follows:

"The Board of Estimate and Apportionment, by resolution adopted March 13, 1903, approved of a site selected by the Board of Education for school purposes, located on Hicks street, between Poplar and Middagh streets, and authorized the Comptroller to purchase the property at a price not exceeding \$103,000.

"The house and lot located on the corner of Hicks and Middagh streets has a three years' lease upon the same, with two years to run, and the price asked by the owner of the property has advanced from the price he originally agreed to sell to the City to an amount which would include the payment for the length of time the lease is to run, thus bringing the value of the property far beyond its real market value.

"The City having acquired all the rest of the property within the area of said site, I would respectfully recommend that condemnation proceedings be authorized by the Board of Estimate and Apportionment for the purpose of vesting title to this property in The City of New York."

Since the adoption of the resolution Commissioners have been appointed, and, I understand, are ready to proceed with the hearings.

A few days ago the owner of the property came in the office and stated that he had now arranged with the tenant in such a manner that he could deliver a good title to the City for the sum of \$12,500. The original resolution adopted by the Board authorized the acquisition of the entire site at a price not exceeding \$103,000. By the purchase of this last piece of property, \$12,500, the amount paid for the entire site would be \$103,600, or \$600 in excess of the original resolution. I think it would be a saving to the City to acquire this property at private sale rather than go on with the proceedings in condemnation, and I would respectfully recommend that the Board of Estimate and Apportionment rescind the resolution authorizing the institution of condemnation proceedings, adopted on July 22, 1903, and adopt a resolution authorizing the Comptroller to enter into contracts for the acquisition of the following-described property:

Beginning at a point on the northeasterly corner of Hicks and Middagh streets and running thence easterly along the northerly side of Middagh street one hundred feet four inches; thence northerly twenty-five feet six inches; thence westerly

and parallel with Middagh street one hundred feet four inches to the easterly side of Hicks street; then southerly along the easterly side of Hicks street twenty-five feet six inches to the point or place of beginning, being premises known as Lot No. 1, in Block 211, Section 1, on the maps in the office of the Commissioners of Taxes in the Borough of Brooklyn, which is assessed for the year 1903 at \$7,500, —at a price not exceeding \$12,500.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment July 22, 1903, authorizing the institution of condemnation proceedings for the acquisition of a piece of property on the corner of Hicks and Middagh streets, Borough of Brooklyn, for school purposes, be and the same is hereby rescinded; and be it further

Resolved, That the Board of Estimate and Apportionment hereby approves of the selection of the following-described premises in the Borough of Brooklyn:

"Beginning at a point on the northeasterly corner of Hicks and Middagh streets and running thence easterly along the northerly side of Middagh street one hundred feet four inches; thence northerly twenty-five feet six inches; thence westerly and parallel with Middagh street one hundred feet four inches to the easterly side of Hicks street; thence southerly along the easterly side of Hicks street twenty-five feet six inches to the point or place of beginning, being premises known as Lot 1, in Block 211, Section 1, on the maps in the office of the Commissioners of Taxes in the Borough of Brooklyn, which is assessed for the year 1903 at \$7,500, at a price not exceeding \$12,500,"

—and the Comptroller of The City of New York is hereby authorized to enter into contracts for the purchase of the above-described premises at a price not exceeding twelve thousand five hundred dollars (\$12,500), said contract to be submitted to the Corporation Counsel for his approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a report of the Appraiser of Real Estate, Department of Finance, recommending that the request of the Board of Education, for the acquisition of property on East One Hundred and Second street and East One Hundred and Third street, near Second avenue, Borough of Manhattan, be referred back to the Board of Education, together with a report submitting to the Board of Education an alternative site on East One Hundred and Second and East One Hundred and Third streets, for the reason that the original site desired by said Board has in process of construction thereon a six-story tenement and store.

Referred back in accordance with the recommendations contained in said report.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, recommending the rescinding of a resolution adopted by the Board of Estimate and Apportionment July 22, 1904, authorizing the institution of condemnation proceedings for the acquisition of property on East Twenty-fifth street, Manhattan, for a Public Lodging House, and recommending the acquisition of same by private sale.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 13, 1904.

Hon. EDWARD M. GROUT, *Comptroller*:

SIR—The Board of Estimate and Apportionment at a meeting held on July 22, 1904, adopted a resolution authorizing the institution of condemnation proceedings for the acquisition of a parcel of land on the southerly side of East Twenty-fifth street, 400 feet east of First avenue, in the Borough of Manhattan, said property being 100 feet in width, front and rear, by a depth of 98 feet 9 inches on each side.

This office tried to negotiate for the acquisition of the property at private sale before reporting to the Board of Estimate and Apportionment and requesting that condemnation proceedings be instituted, but we were unable to agree with the owner as to price. The owner, however, has since the authorizing of condemnation proceedings offered to dispose of the property to the City for the sum of \$41,500. The price he was offered for the property was \$40,000.

I have been in consultation with Mr. Harris of the Corporation Counsel's office, and desire to report that he believes the interests of the City in the matter of other condemnation proceedings now going on in the vicinity would not in any way be prejudiced by the acceptance of the offer of the owner and the acquisition of the property at private sale for \$41,500.

I would therefore respectfully recommend that the Board of Estimate and Apportionment rescind the resolution adopted by them on July 22, 1904, authorizing the acquisition of the property by condemnation proceedings, and adopt a resolution authorizing the acquisition of the property at private sale at a price not exceeding \$41,500, which price in my opinion, while full value, need not be considered excessive.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment at meeting held July 22, 1904, and which reads as follows:

"Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Commissioner of the Department of Public Charities, in the matter of the selection of the following described lands and premises for a Municipal Lodging House, in the Borough of Manhattan:

"Beginning at a point on the southerly side of East Twenty-fifth street four hundred (400) feet east of First avenue; running thence southerly and parallel with First avenue ninety-eight (98) feet nine (9) inches; running thence easterly and parallel with East Twenty-fifth street one hundred (100) feet; thence northerly and again parallel with First avenue ninety-eight (98) feet nine (9) inches; thence westerly along the easterly line of East Twenty-fifth street one hundred (100) feet to the point or place of beginning.

"Assessed valuation of the above described, with other property, as shown by the books of record on file in the Department of Taxes and Assessments, is \$80,000, —and the Corporation Counsel be and he is hereby authorized to institute condemnation proceedings for the acquisition of all of the parcels of land within the area of the above described property.

"Nothing in this resolution contained shall be construed as preventing the Comptroller of The City of New York from the entering into contracts for the acquisition of any portion of the above described property at private sale, subject to the approval of this Board."

—be and the same is hereby rescinded.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby approves of the action of the Commissioner of the Department of Public Charities, in the matter of the selection of the following described lands and premises for a Municipal Lodging House, in the Borough of Manhattan:

Beginning at a point on the southerly side of East Twenty-fifth street four hundred (400) feet east of First avenue; running thence southerly and parallel with First avenue ninety-eight (98) feet nine (9) inches; running thence easterly and parallel with East Twenty-fifth street one hundred (100) feet; thence northerly and again parallel with First avenue ninety-eight (98) feet nine (9) inches; thence westerly along the easterly line of East Twenty-fifth street one hundred (100) feet to the point or place of beginning, together with all the right, title and interest of the owner of said premises of, in and to the street in front thereof to the centre thereof,

—and that the Comptroller be and he hereby is authorized to enter into contracts for the purchase of the said property at a price not exceeding forty-one thousand five hundred dollars (\$41,500), said contracts to be submitted to the Corporation Counsel for his approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, in the matter of the acquisition of property on East One Hundred and Eightieth street, Vyse avenue, East One Hundred and Seventy-ninth street and Daly avenue, for a Corporation Yard in the Borough of The Bronx.

Which was ordered on file.

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
September 13, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The President of the Borough of The Bronx, in a communication under date of July 7, requested that action be taken by the Board of Estimate and Apportionment looking to the acquisition of property bounded by East One Hundred and Eightieth street, Vyse avenue, East One Hundred and Seventy-ninth street and Daly avenue, and in a report under date of July 13, the matter was presented to the Board of Estimate and Apportionment with a request that the proposition be referred back to the President of the Borough of The Bronx for additional information which was desired by the Board. Under date of August 1, the President of the Borough transmitted a communication to the Deputy Comptroller in accordance with the request of the Board of Estimate and Apportionment.

Under date of August 30 the President of the Borough of The Bronx transmits the following communication:

"Hon. EDWARD M. GROUT, Comptroller:

"DEAR SIR—In reference to proposed site for a Corporation Yard bounded by One Hundred and Seventy-ninth street, One Hundred and Eightieth street, Vyse avenue and Daly avenue, proposed to be taken by condemnation proceedings, does not meet with my approval and I beg to call your attention to the matter so that you will know that it has not my approval.

"Yours truly,

(Signed) "LOUIS F. HAFFEN,
"President of the Borough of The Bronx."

I would respectfully recommend that the papers be printed in full in the Minutes of the Board of Estimate and Apportionment, and that no further action be taken in the matter.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX,
MUNICIPAL BUILDING, CROTONA PARK,
August 30, 1904.

Hon. EDWARD M. GROUT, Comptroller:

DEAR SIR—In reference to proposed site for a Corporation Yard bounded by One Hundred and Seventy-ninth street, One Hundred and Eightieth street, Vyse and Daly avenues, proposed to be taken by condemnation proceedings, does not meet with my approval and I beg to call your attention to the matter so that you will know that it has not my approval.

Yours truly,

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

THE CITY OF NEW YORK,
OFFICE OF THE PRESIDENT OF THE BOROUGH OF THE BRONX,
MUNICIPAL BUILDING, CROTONA PARK,
NEW YORK, August 1, 1904.

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

DEAR SIR—Inclosed herewith I send you a copy of report made to me by Mr. Josiah A. Briggs, Chief Engineer of the Borough of The Bronx, together with copy of report of Mr. Graham, Engineer in Charge of Sewers, relative to the proposed site for storage yard, etc., which gives the information requested by the Appraiser of Real Estate, in the Comptroller's office.

Yours truly,

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

(Copy.)

JULY 29, 1904.

Hon. LOUIS F. HAFFEN, President:

DEAR SIR—I return communication of J. W. Stevenson, Deputy Comptroller, with reports, etc., attached, referring to the proposed site for storage yard, etc., and beg to submit copy of the report thereon made by the Engineer of Sewers, which gives the information requested by the Appraiser of Real Estate, Comptroller's office.

The suggestion of the site at One Hundred and Eightieth street and Daly avenue was made among others on account of the fact that there were no buildings on the plot and it was a complete block with about the area necessary for our purposes. The effect on surrounding property was not specially considered in any case, for the reason that a yard of this kind should not necessarily become a nuisance in a neighborhood. I see no reason why it should not be arranged in such a way as to make it attractive and not at all objectionable to anybody, but, of course, there is a sentimental idea that the use of the property for such a purpose would be injurious to the neighborhood. Of course, no matter where the site is located there will be objections of this kind. It is important that this yard should be located in as close proximity to the Municipal Building as

possible. It may be possible that a location east of the Bronx river and in that neighborhood might be obtained at a less cost and might answer all purposes. I think, however, it would be objectionable to locate the yard very close to the river, on account of the fact that it would be more or less unhealthy.

I am looking over the situation with a view to locating some other sites which I will suggest as soon as possible.

Respectfully,
(Signed) JOSIAH A. BRIGGS,
Chief Engineer of the Borough of The Bronx.

(Copy.)

JULY 28, 1904.

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

SIR—Replying to yours of July 28, 1904, transmitting the herewith returned communication dated July 26, 1904, from J. W. Stevenson, Deputy Comptroller, transmitting the herewith returned communication dated July 13, 1904, from Mr. Mortimer J. Brown, Appraiser of Real Estate for the Finance Department, all being in relation to the matter of proposed acquisition of property suitable for yard purposes for all of the various bureaus under the President of the Borough of The Bronx, I have to report as follows, and will endeavor to answer the questions as propounded by Mr. Brown in his communication:

I would first call your attention to the fact that on February 4, 1904, I sent to your office, for filing, copy of a communication from me to President Haffen in relation to the issue of Corporate Stock for the purposes of—

1. Erection of a branch office building, etc., on the westerly side of White Plains avenue, between Elizabeth and Juliana streets; and

2. In the matter of the acquisition of property for corporation yard purposes and the erection and equipment of necessary buildings for shops, stables, sheds, etc., in the Borough of The Bronx, this last-named subject being the one now under discussion.

Mr. Brown asks whether, by reason of the assignment to the President of the Borough of the property on White Plains road (a plot 130 feet by 110 feet, located on White Plains road, south of Sixteenth avenue, assigned to the President of the Borough of The Bronx for general storage and other purposes by the Bureau of Highways), a smaller and less "costlier" site than the one described in his letter of July 7, would not answer the purpose (letter of July 7 asked for the acquisition of block bounded by East One Hundred and Eightieth street, Vyse avenue, East One Hundred and Seventy-ninth street and Daly avenue). I will say that no smaller site than the one set forth in my communication of February 4, 1904—that is, the plot of about 40 City lots—would answer the purpose, although possibly a site not costing as much as the one referred to by Mr. Brown might be acquired. I would say that the assignment of the plot of ground in White Plains road in no wise affects the matter of a plot of sufficient size for general yard purposes for all the bureaus.

Mr. Brown asks further, how many leases now under the control of the President of the Borough would be surrendered upon the acquisition of a site such as is under discussion. Regarding this, I would say that I believe there are some eight parcels of leased property, the leases for which might be surrendered upon acquisition of a site for a general yard; and I would say further that the aggregate of rentals for these several parcels amounts to \$4,140 per annum, which, at 3½ per cent, represents a capitalization of \$118,286; and the aggregate of yard areas of these plots amounts to about 97,000 square feet.

JULY 28, 1904.

Mr. JOSIAH A. BRIGGS:

Mr. Brown states that in the general locality mentioned as desirable for the acquisition of a yard site (that is, One Hundred and Seventy-seventh street, Pelham avenue, Southern Boulevard, and Webster avenue), he believes that he will be able to find a suitable site and acquire it at private sale, thus avoiding condemnation, and at less cost than the site referred to in the letter of the President under date of July 7. As to this I would say that within the area mentioned there are several sites which would be satisfactory, memorandum of which sites are in your possession. As to the cost thereof, that is a matter more especially within Mr. Brown's province.

Mr. Brown asks finally whether the Borough President has sufficient funds to cover the cost of acquisition. Regarding this I would say that so far as I am aware the Borough President has not any funds to cover the cost of the acquisition of the property, nor for the erection of the buildings thereon, inasmuch as I believe that, in accordance with the suggestions contained in mine of February 4, 1904, the President requested of the Board of Estimate and Apportionment an issue of Corporate Stock to the amount of \$90,000 in order to acquire the ground and to erect the necessary buildings thereon for yard purposes for all of the bureaus under his jurisdiction.

In conclusion I respectfully request that so much of my communication of February 4, 1904, as refers to the matter under discussion shall be considered a part of this report.

Respectfully,
(Signed) CHAS. H. GRAHAM,
Engineer in Charge of Sewers.

The Secretary presented the following report of the Appraiser of Real Estate, Department of Finance, recommending the amendment of resolution adopted by the Board of Estimate and Apportionment May 27, 1904, authorizing the acquisition at private sale of a triangular piece of property on William street for the Department of Bridges:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Estimate and Apportionment at a meeting held on May 27, 1904, adopted a resolution for the acquisition of a triangular piece of property adjoining property now owned by The City of New York, for the use, and at the request of the Commissioner of the Department of Bridges, at a price not exceeding \$1,750, this sum to include payment for use and occupation. The resolution as adopted authorized the acquisition of property, the point of "beginning being on the southeasterly side of William street distant 83 feet 9¼ inches northeasterly from the intersection of the southeasterly side of William street and the northeasterly side of Frankfort street." This description was taken from the communication of the Commissioner of Bridges to this Department under date of April 22, 1904, and seems to have followed through all of the communications.

Upon an examination of the title, the Title Guarantee and Trust Company discovered that the point of beginning should have read 78 feet 11 inches northeasterly instead of 83 feet 9¼ inches, and I would respectfully recommend that the Board of Estimate and Apportionment amend the resolution adopted May 27, 1904, by striking out the words "83 feet 9¼ inches" and inserting the words "78 feet 11 inches," so that the resolution shall read as follows:

"Whereas, The Board of Estimate and Apportionment at a meeting held on the 6th day of May, 1904, adopted a preamble and resolution authorizing the institution of condemnation proceedings for the acquisition of the piece of property described in said resolution for the use of the Department of Bridges; and

Whereas, It appearing to this Board in a report submitted by the Comptroller of The City of New York that the property can be acquired at private sale at a sum not exceeding one thousand seven hundred and fifty dollars (\$1,750); therefore be it

Resolved, That the Comptroller of The City of New York be and he hereby is authorized to enter into a contract for the acquisition of the following described lands and premises:

Beginning at a point on the southeasterly side of William street and distant 78 feet 11 inches northeasterly from the intersection of the southeasterly side of William street and the northeasterly side of Frankfort street; running thence southeasterly 16 feet 3¾ inches parallel to the centre line of the New York and Brooklyn Bridge, and distant therefrom 71 feet to the boundary of the property of the said New York and Brooklyn Bridge; running thence northerly 15 feet 5¼ inches along said boundary line to the southeasterly line of William street; thence southwesterly 4 feet 10¼ inches along the southeasterly line of William street to the point of beginning,

together with all the right, title and interest of the owners of said premises of, in, and to the streets in front thereof to the centre thereof,
—for the use of the Department of Bridges at a price not exceeding one thousand seven hundred and fifty dollars (\$1,750), said contract to be submitted to the Corporation Counsel for his approval as to form.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

The following resolution was offered:

Resolved, That the resolution adopted by the Board of Estimate and Apportionment May 27, 1904, in relation to the acquisition of a triangular piece of property situate on William street, Borough of Manhattan, for the use of the Department of Bridges, be and the same is hereby amended so as to read as follows:

"Whereas, The Board of Estimate and Apportionment, at a meeting held on the 6th day of May, 1904, adopted a preamble and resolution authorizing the institution of condemnation proceedings for the acquisition of the piece of property described in said resolution for the use of the Department of Bridges; and

Whereas, It appearing to this Board in a report submitted by the Comptroller of The City of New York that the property can be acquired at private sale at a sum not exceeding one thousand seven hundred and fifty dollars (\$1,750); therefore be it

Resolved, That the Comptroller of The City of New York be and he hereby is authorized to enter into a contract for the acquisition of the following-described lands and premises:

Beginning at a point on the southeasterly side of William street and distant 78 feet 11 inches northeasterly from the intersection of the southeasterly side of William street and the northeasterly side of Frankfort street; running thence southeasterly 16 feet 3 3/8 inches parallel to the centre line of the New York and Brooklyn Bridge, and distant therefrom 71 feet to the boundary of the property of the said New York and Brooklyn Bridge; running thence northerly 15 feet 5/4 inches along said boundary line to the southeasterly line of William street; thence southwesterly 4 feet 10 1/4 inches along the southeasterly line of William street to the point of beginning, together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof,

—for the use of the Department of Bridges, at a price not exceeding one thousand seven hundred and fifty dollars (\$1,750), said contract to be submitted to the Corporation Counsel for his approval as to form.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Chamberlain requesting the transfer of \$500 to "Supplies and Contingencies, Chamberlain's Office," 1904:

CITY OF NEW YORK—OFFICE OF THE CITY CHAMBERLAIN, }
September 15, 1904.

JAMES W. STEVENSON, Esq., Secretary, Board of Estimate and Apportionment:

DEAR SIR—A copy of the inclosed letter was this day sent to each member of the Board of Estimate and Apportionment.

Your kind attention to the matter will oblige.

Yours truly,

PATRICK KEENAN, Chamberlain.

CITY OF NEW YORK—OFFICE OF THE CITY CHAMBERLAIN, }
September 15, 1904.

Hon. EDWARD M. GROUT, Comptroller:

DEAR SIR—I have the honor to make application for the transfer from the appropriation of "Salaries, Chamberlain's Office, 1904," to "Contingencies, Chamberlain's Office, 1904," the sum of five hundred dollars (\$500).

It is necessary to make this transfer in order to pay the postage on Jury Checks for the remainder of the year.

Respectfully,

PATRICK KEENAN, Chamberlain.

The following resolution was offered:

Resolved, That the sum of five hundred dollars (\$500) be and the same is hereby transferred from the appropriation made to the Department of Finance for the year 1904, entitled "Salaries, Chamberlain's Office," the same being in excess of the amount required for the purposes thereof, to the appropriation made to said Department for the same year, entitled "Supplies and Contingencies, Chamberlain's Office," the amount of said appropriation being insufficient.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented a communication from the Board of Education relative to an additional site for Public School 1, Tottenville, Borough of Richmond.
Referred to the Comptroller.

The Secretary presented the following communication from the President of the Borough of Manhattan, requesting the establishment of the position of Confidential Inspector to the President of the Borough of Manhattan, at a rate of \$1,800 per annum:

CITY OF NEW YORK, }
OFFICE OF THE PRESIDENT OF THE BOROUGH OF MANHATTAN, }
CITY HALL, September 13, 1904.

Hon. JAMES W. STEVENSON, Secretary, Board of Estimate and Apportionment:

DEAR SIR—Pursuant to section 56 of the Greater New York Charter, request is herewith made to the Board of Estimate and Apportionment to fix the salary of the position of Confidential Inspector to the President of the Borough of Manhattan at the rate of \$1,800 per annum.

Yours truly,

JOHN F. AHEARN,
President Borough of Manhattan.

The Comptroller moved to amend the request by inserting after the words "President of the Borough of Manhattan," the words, "Brooklyn, The Bronx, Queens and Richmond."

The President of the Borough of Manhattan accepted the amendment.

The following resolution was offered:

Resolved, That the Board of Estimate and Apportionment hereby recommends to the Board of Aldermen, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of the position of Confidential Inspector

in the offices of the Presidents of the boroughs of Manhattan, Brooklyn, The Bronx, Queens and Richmond, be fixed at the rate of eighteen hundred dollars (\$1,800) per annum.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Fire Commissioner relative to the purchase of two automobile carriages for the use of his Department:

HEADQUARTERS FIRE DEPARTMENT, CITY OF NEW YORK, }
NOS. 157 AND 159 EAST SIXTY-SEVENTH STREET, }
BOROUGH OF MANHATTAN, September 9, 1904.

Honorable Board of Estimate and Apportionment:

GENTLEMEN—At the opening of proposals on August 1, 1904, for furnishing one automobile carriage for use in the boroughs of Manhattan and The Bronx, and one for use in the boroughs of Brooklyn and Queens, the following bids were received:
Locomobile Company of America, Bridgeport, Conn., each..... \$4,000 00
Auto Import Company, No. 1786 Broadway, each..... 10,000 00
The Winton Mottor Carriage Company, No. 1709 Broadway, each.... 3,000 00
The Duerr Ward Company, No. 1787 Broadway, each..... 2,900 00
The Electric Vehicle Company, Hartford, Conn., each..... 4,000 00

The Chief of Department, to whom was referred the matter of investigating into the merits of the different vehicles, having reported that the carriages offered by the Locomobile Company of America and The Electric Vehicle Company are most suitable for the service of the Department, I have the honor to request that I may be authorized to enter into contracts with the companies named, awarding to each a contract for one automobile carriage at the prices named, viz., \$4,000, it being in my opinion for the best interests of the City so to do.

Very respectfully,

NICHOLAS J. HAYES, Fire Commissioner.

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, deeming it for the best interests of the City that bids other than the lowest should be accepted for the furnishing of two automobile carriages for the use of the Fire Department in the boroughs of Manhattan and The Bronx and the boroughs of Brooklyn and Queens, hereby authorizes the Commissioner of said Department to accept the bids and award the contracts as follows:

Locomobile Company of America, one automobile carriage at..... \$4,000 00
The Electric Vehicle Company, one automobile carriage at..... 4,000 00

—said bids having been received among others in response to public advertisement.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Secretary presented the following communication from the Private Secretary to the President of the Borough of Brooklyn, requesting the fixing of the salary of the position of Cashier in the Bureau of Highways at the rate of \$1,200 per annum, from August 1, 1904:

THE CITY OF NEW YORK, }
OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, }
BROOKLYN, September 15, 1904.

Hon. JAMES W. STEVENSON, Secretary, Board of Estimate and Apportionment:

DEAR SIR—Requisition is hereby made, in accordance with the provisions of section 56 of the Greater New York Charter, that the salary of Cashier in the Bureau of Highways under the President of the Borough of Brooklyn be fixed at \$1,200 per annum, as of August 1, 1904. The President requested me, in forwarding you this requisition, to ask that same be brought up at the meeting to-morrow.

Yours very truly,

DENIS A. JUDD, Private Secretary.

The following resolution was offered:

Resolved, That, subject to the concurrence and approval of the Board of Aldermen, the Board of Estimate and Apportionment hereby ratifies and confirms the action of the President of the Borough of Brooklyn in fixing the salary of the position of Cashier in the Bureau of Highways at the rate of twelve hundred dollars (\$1,200) per annum, as of date August 1, 1904.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Borough of Manhattan, the President of the Borough of Brooklyn, the President of the Borough of The Bronx, the President of the Borough of Queens and the President of the Borough of Richmond—13.

The Board adjourned, to meet Friday, September 23, 1904.

J. W. STEVENSON, Secretary.

BOARD OF ESTIMATE AND APPORTIONMENT.

MINUTES, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK, ROOM 16, CITY HALL, FRIDAY, SEPTEMBER 23, 1904.

The Board met in pursuance of an adjournment.

Present—George B. McClellan, Mayor; Edward M. Grout, Comptroller; Charles V. Fornes, President, Board of Aldermen; John F. Ahearn, President, Borough of Manhattan; Martin W. Littleton, President, Borough of Brooklyn.

Hon. George B. McClellan, Mayor, presiding.

The Secretary presented the following resolution fixing the dates for the hearings on the requests of the Borough Presidents, Departments, Boards, Officers, Corporations and Institutions making application for appropriations for the year 1905:

The following resolution was offered:

Resolved, That the Secretary of the Board of Estimate and Apportionment be and is hereby directed to notify the several Borough Presidents, departments, boards, officers, corporations and institutions making application for appropriations for the year 1905, that the following dates have been fixed for hearings in regard thereto, such

hearings to begin at 10.30 o'clock A. M. on each day at the Council Chamber, in the City Hall, Borough of Manhattan:

Monday, October 3, 1904—

Department of Bridges.
Fire Department.
Department of Street Cleaning.
Department of Taxes and Assessments.
Law Department.
Police Department.
Department of Water Supply, Gas and Electricity.
Department of Public Charities.
Board of Assessors.
Civil Service.
Commissioners of Accounts.

Wednesday, October 5, 1904—

Department of Correction.
Department of Health.
Department of Parks.
Bellevue and Allied Hospitals.
Board of Aldermen.
City Clerk.
Art Commission.
Department of Education.
College of The City of New York.
Normal College.
Brooklyn Disciplinary Training School.
Tenement House Department.

Thursday, October 6, 1904—

Board of City Record.
Examining Board of Plumbers.
Commissioners of Jurors.
Sheriffs.
Registers.
Public Administrators.
County Clerks.
Coroners.
District Attorneys.

Friday, October 7, 1904—

Supreme Courts.
City Court.
Surrogates' Courts.
County Courts.
Municipal Courts.
City Magistrates' Courts.
Court of General Sessions.
Court of Special Sessions.
Charitable Institutions.

Monday, October 10, 1904—

President Borough of Manhattan.
President Borough of Brooklyn.
President Borough of The Bronx.
President Borough of Queens.
President Borough of Richmond.
Mayor's Office.
Department of Finance.
Armory Board (The National Guard).
Libraries.
Bonded Indebtedness.
State Taxes.
Rents.
Miscellaneous items not included in Departmental Estimates.
All other public officers.

Resolved, That this Board does hereby designate Friday, October 14, 1904, at 10.30 o'clock A. M., at the Council Chamber, in the City Hall, Borough of Manhattan, as the time and place for a public hearing in relation to the Budget for 1905, and that notice inviting the tax-payers of the City to appear and be heard on that date in regard to appropriations to be made and included in said Budget be inserted in the CITY RECORD.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the President of the Borough of Manhattan and the President of the Borough of Brooklyn—13.

The Secretary presented the following communication from the Commissioner of Street Cleaning, requesting authority to award to other than the lowest bidder the contract for furnishing rubber fire hose for the use of the Department of Street Cleaning in the Boroughs of Manhattan and The Bronx:

DEPARTMENT OF STREET CLEANING,
September 15, 1904.

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

SIR—In my endeavor to comply with what are said to be the strict requirements of the law and with the wishes of the Comptroller, I have been attempting since last April to purchase 5,000 feet of rubber fire hose for the use of this Department in the boroughs of Manhattan and The Bronx, but without avail.

The facts are these: In accordance with the advertisement in the CITY RECORD on the 28th of April last, bids were opened in this office for 5,000 feet of rubber hose, to be furnished in compliance with a very precise specification and with the sample; portions of which had been furnished to all of the bidders.

Thirteen bids were received varying in prices from the highest, 78½ cents per foot to the lowest, 41 cents per foot.

The contract, which required the goods to be furnished within thirty days, was awarded to the lowest bidder, William E. Burke, and it was executed by him and his surety under date of May 10, 1904.

All of the hose offered by the contractor had to be rejected because not in conformity with the specifications of the contract for which he had bid, and this rejection was in each case made as a result of reports and chemical analyses and tests by the Fire Department and of reports by the Special Inspector of the Department of Finance. Copies of these reports and tests are annexed.

The contractor was kept fully informed of these facts and in compliance with his request the time for the completion of the contract was extended, as provided by section 356 of the Revised Ordinances, to July 6, 1904. Finally as a result of the contractor's complete failure under the contract he was notified of the abrogation of his contract and to cease any further attempts to furnish the hose under the contract and that the said hose would be obtained elsewhere and that he and his surety would be held liable for the extra cost to the City, and a copy of this notice was at the same time sent to his surety (copies of these notices will be found annexed).

A form of contract to complete the said unfulfilled contract, approved as to form by the Corporation Counsel, was advertised in the CITY RECORD and bids for the same were opened September 8, 1904. There were ten bids; the highest at 93½ cents per foot; the lowest at 45 cents per foot. It is the unanimous opinion of those engaged in the trade that the kind of hose required by the specifications of the proposed contract cannot be furnished at the price of 45 cents and it seems to me that to award a contract to the lowest bidder would be simply to repeat the experience made under the broken contract referred to above.

It seems to me that it will be for the interest of the City and the Department that I should be authorized to award the contract to that bidder other than the lowest bidder who can in good faith furnish the hose required at the lowest reasonable price.

Respectfully,

(Signed) JOHN McG. WOODBURY.

(Copy.)

DEPARTMENT OF STREET CLEANING,
July 25, 1904.

ADRIAN T. TIERNAN, Vice-President, City Trust, Safe Deposit and Surety Company, Philadelphia, No. 160 Broadway, New York City:

SIR—Under date of the 10th day of May, 1904, your company executed a bond in the sum of \$1,025 as surety for the faithful performance by William E. Burke of a contract of the same date, for furnishing 5,000 feet of rubber hose for the use of this Department in the boroughs of Manhattan and The Bronx.

Up to the present time Mr. Burke has wholly failed to comply with the said contract and I have this day delivered to him a notice of said default a copy of which I inclose for the information of your company.

Respectfully,

(Signed) JOHN McG. WOODBURY, Commissioner.

(Copy.)

DEPARTMENT OF STREET CLEANING,
July 25, 1904.

WILLIAM E. BURKE, Esq., No. 258 Broadway, New York City:

SIR—Under date of the 10th day of May, 1904, you entered into a contract with The City of New York, through the Commissioner of Street Cleaning, for furnishing 5,000 feet of rubber hose for the use of the Department of Street Cleaning in the boroughs of Manhattan and The Bronx; the said hose to be furnished within thirty (30) days; which said contract was duly certified by the Comptroller of The City of New York, as provided by section 149 of the Greater New York Charter, as notified to the Commissioner of Street Cleaning by the Comptroller under date of May 17, 1904.

Up to the present time you have not complied with the said contract in that you have not furnished such hose as is described in the specification; whatever hose you did furnish having been rejected by the Inspector appointed by this Department for the purpose.

In accordance with your request, dated June 21, 1904, the time for the completion of your said contract was extended to the 6th day of July, 1904.

In spite of repeated notices to you you have failed up to now to furnish the said hose in conformity with the specifications of your contract and you are therefore in default on the same, and I hereby notify you that I hereby abrogate the said contract and that you do now and hereafter cease to furnish any and all hose under the said contract and cease to attempt to do or perform anything whatsoever under the said contract, and that I shall procure the said 5,000 feet of rubber hose as specified in said contract, to be furnished otherwise than by you, and shall, on behalf of The City of New York, hold you and your surety liable to The City of New York for any and all loss, expense or damage incurred by The City of New York because of your failure to perform the said contract.

Respectfully,

(Signed) JOHN McG. WOODBURY, Commissioner.

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, deeming it for the best interests of the City that bids other than the lowest should be accepted for furnishing five thousand feet of rubber fire-hose for the use of the Department of Street Cleaning in the boroughs of Manhattan and The Bronx, hereby authorizes the Commissioner of said Department to award the contract to other than the lowest bidder.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the President of the Borough of Manhattan and the President of the Borough of Brooklyn—13.

The Secretary presented the following report from the Appraiser of Real Estate, Department of Finance, and communication from the Corporation Counsel, relative to the acquisition at private sale of certain property for the park bounded by Berry street, Nassau avenue, Lorimer street, Driggs avenue, Manhattan avenue, Leonard street, Bayard street, Union avenue and in North Twelfth street, in the Fourteenth, Fifteenth and Seventeenth Wards, Borough of Brooklyn:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,
COMPTROLLER'S OFFICE,
August 29, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Some time since the Corporation Counsel requested that the Board of Estimate and Apportionment adopt a resolution vesting title in The City of New York to property known by the number 53 Guernsey street, but had the Board of Estimate and Apportionment adopted the resolution the City would have been obligated to pay 6 per cent. on any award that might have been made by the Commissioners in condemnation proceedings.

This office took up negotiations with the owner as to what she would dispose of the property at private sale to the City, and I am able to submit to you a proposition on the part of the owner to dispose of the property to the City at the sum of \$6,000. I communicated with the Assistant Corporation Counsel, Mr. Coombs, who has the matter of the condemnation proceedings in charge, and called his attention to the offer on the part of Mrs. Hart to sell the property for the sum of \$6,000 and requested him to furnish this office with his opinion as to whether the price was fair and reasonable. He communicated with me over the telephone and stated he thought the City might accept the offer of Mrs. Hart as it would in no way prejudice the interests of the City in establishing values.

I therefore respectfully recommend that the Board of Estimate and Apportionment adopt a resolution authorizing the acquisition of the following-described premises:

All that certain lot, piece or parcel of land with the buildings thereon erected commencing at a point forming the southwesterly corner of Nassau avenue and Guernsey street; thence southerly along the westerly side of Guernsey street 25 feet; thence westerly, parallel with Nassau avenue 130 feet 6 inches; thence northerly parallel with Guernsey street to Nassau avenue 25 feet; thence easterly along the southerly side of Nassau avenue 130 feet 6 inches to the point or place of beginning, together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof, being the same premises conveyed to John F. Hart by John J. Randall and Mary F. Randall, his wife, and William G. Miller and Mary E. Miller, his wife, by deed dated August 30, 1889, recorded in the office of the Register of Kings County in Liber 1911 of Conveyances, page 151, September 3, 1889.

—and that the Comptroller of The City of New York be and he is hereby authorized to enter into contracts for the acquisition of the above described premises at a price not exceeding six thousand dollars (\$6,000), said contracts to be submitted to the Corporation Counsel for his approval as to form.

Respectfully submitted,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

LAW DEPARTMENT,
OFFICE OF THE CORPORATION COUNSEL,
NEW YORK, September 1, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—I am in receipt of the inclosed communication, dated August 18, 1904, from J. W. Stevenson, Deputy and Acting Comptroller, requesting certain information concerning the advisability of the purchase of certain property owned by Ellen F. Hart, situated at No. 53 Guernsey street in the Borough of Brooklyn, and included in the limits of the proposed park in the Fourteenth, Fifteenth and Seventeenth Wards.

It is stated that my former letter of July 25, 1904, does not contain all the information desired by the Finance Department in that it does not state the value of the property as given by our appraisers.

I therefore advise you that the value fixed by our Appraisers for both land and buildings was \$5,700. The value testified to by experts for the owners was over \$10,000.

In view of the circumstances, I am of the opinion that it would be advisable to accept Mrs. Hart's offer to sell for \$6,000, and, inasmuch as this is only \$300 in excess of the value fixed by the City's Appraisers, I am convinced that a sale at that price could in no way prejudice the City in the matter of the awards on other property in the proceeding.

Respectfully yours,

JOHN J. DELANY, Corporation Counsel.

The following resolution was offered:

Whereas, The Board of Estimate and Apportionment of The City of New York, under date of December 10, 1901, approved of the initiation of proceedings for the acquisition of title to all the lands and premises required for the opening and extending of the public park bounded by Berry street, Nassau avenue, Lorimer street, Driggs avenue, Manhattan avenue, Leonard street, Bayard street, Union avenue and North Twelfth street, in the Fourteenth, Fifteenth and Seventeenth Wards, Borough of Brooklyn, and under date of July 28, 1902, pursuant to the provisions of section 980 of the Greater New York Charter, directed that the entire cost and expense for the acquisition of said property should be borne and paid by The City of New York; and

Whereas, The owner of a parcel of land contained within the area of said public park has made a proposition to sell the same to The City of New York, which said land is bounded and described as follows:

"All that certain lot, piece or parcel of land, with the buildings thereon erected, commencing at a point forming the southwesterly corner of Nassau avenue and Guernsey street; thence southerly along the westerly side of Guernsey street twenty-five feet; thence westerly parallel with Nassau avenue one hundred and thirty feet six inches; thence northerly parallel with Guernsey street to Nassau avenue twenty-five feet; thence easterly along the southerly side of Nassau avenue one hundred and thirty feet six inches to the point or place of beginning, together with all the right, title and interest of the owners of said premises of, in and to the streets in front thereof to the centre thereof, being the same premises conveyed to John F. Hart by John J. Randall and Mary F. Randall, his wife, and William G. Miller and Mary E. Miller, his wife, by deed dated August 30, 1889, recorded in the office of the Register of Kings County, in Liber 1911 of Conveyances, page 151, September 3, 1889."

Therefore be it Resolved, That the Comptroller of The City of New York be and hereby is authorized to enter into contracts for the purchase of the above-described premises at a price not exceeding six thousand dollars (\$6,000), said contracts to be submitted to the Corporation Counsel for his approval.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the president of the Board of Aldermen, the President of the Borough of Manhattan and the president of the Borough of Brooklyn—13.

The Comptroller offered the following resolution appropriating the sum of \$50,000 for paying the expenses of the acquisition of Carnegie Libraries and for conducting the proceedings for the condemnation thereof:

Resolved, That, pursuant to the provisions of chapter 580 of the Laws of 1901, the Board of Estimate and Apportionment hereby authorizes the Comptroller to issue Corporate Stock of The City of New York, in the manner provided by section 169 of the Greater New York Charter, to the amount of fifty thousand dollars (\$50,000), the proceeds whereof to be applied for the purpose of carrying out the provisions of said chapter 580 of the Laws of 1901, in paying the expenses of the acquisition of sites for Carnegie Libraries and conducting the proceedings for the condemnation thereof.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the President of the Board of Aldermen, the President of the Borough of Manhattan and the President of the Borough of Brooklyn—13.

The Board adjourned to meet Friday, September 30, 1904.

J. W. STEVENSON, Secretary.

COMMISSIONERS OF THE SINKING FUND OF THE CITY OF NEW YORK.

*Proceedings of the Commissioners of the Sinking Fund at a Meeting Held in Room 16,
City Hall, at 11 o'clock A. M., on Wednesday, September 28, 1904.*

Present—George B. McClellan, Mayor; Edward M. Grout, Comptroller; Patrick Keenan, Chamberlain; Charles V. Fornes, President, Board of Aldermen; and John T. McCall, Chairman Finance Committee, Board of Aldermen.

The minutes of the meetings held August 25 and September 16, 1904, were approved as printed.

On motion, John Korb, Jr., was elected Secretary pro tem.

The following communication was received from the Commissioner of Docks, requesting that he be authorized to entertain an application from Mr. John H. Starin to sublet a portion of the East Thirty-second street Pier to the American Ice Company (see Minutes, 1903, page 678):

NEW YORK, September 23, 1904.

N. TAYLOR PHILLIPS, Esq., Secretary, Commissioners of the Sinking Fund:

SIR—Under date of July 16, 1903, a resolution was adopted by the Commissioners of the Sinking Fund authorizing a lease of the East Thirty-second street Pier, in the Borough of Manhattan, for a term of five years at a rental of \$2,500 per annum, to John H. Starin, the resolution providing that the lease would not contain a provision permitting the lessee to sublet a portion of the pier for an ice bridge.

When the proposed lease was submitted to the Commissioners of the Sinking Fund at that time a provision was included allowing Mr. Starin to sublet a portion of the pier to the American Ice Company for the purpose of maintaining an ice bridge thereat, the intention being to grant the privilege to the American Ice Company in lieu of the lease which was then and is still held by that company covering the East Thirty-third Street Pier, the change being desired in order to facilitate the work of constructing a tunnel under the East river.

The lease, in accordance with the resolution adopted by the Commissioners of the Sinking Fund above referred to, was duly executed by Mr. John H. Starin and by this Department, but several urgent requests have been made upon me by the Pennsylvania, New York and Long Island Railroad Company to grant the American Ice Company such facilities on the East Thirty-second Street Pier as will permit the latter company to vacate the East Thirty-third Street Pier. It is found that that pier is absolutely needed by the railroad company in order to permit the carrying on of the vast tunnel improvement.

I would respectfully request that the Commissioners of the Sinking Fund adopt a resolution as will authorize me to entertain an application from Mr. Starin to sublet a portion of the East Thirty-second Street Pier to the American Ice Company. I might state that no application will be granted unless the American Ice Company will first agree to entirely relinquish any and all of its rights on the East Thirty-third Street Pier.

Yours respectfully,

MAURICE FEATHERSON, Commissioner.

On July 7, 1903, I reported at length on the lease of this pier, and my report will be found in the Minutes of July 16, 1903 (page 678). As there was decided objection made by the owners of the bulkhead adjoining this pier on the north to the subletting of any portion for an ice bridge, the Commissioner of Docks at the time withdrew his recommendation and the lease was authorized, omitting the privilege to sublet. If the matter is to be taken up again, I would suggest that Mr. O. B. Gould, No. 271 Broadway, be notified before final action is taken by the Commissioners of the Sinking Fund.

EUG. E. McLEAN, Engineer, Department of Finance.

Mr. O. B. Gould was again heard in regard to the matter, whereupon, on motion, the matter was laid over until the next meeting, the Secretary being directed to notify both Mr. Gould and Mr. Starin of the meeting and request them to be present.

The following communication was received from the Commissioner of Docks requesting that he be authorized to make offers to purchase bulkhead rights between East Third and East Fourth streets, and between East Third and East Houston streets, Borough of Manhattan:

NEW YORK, September 17, 1904.

N. TAYLOR PHILLIPS, Esq., Secretary, Commissioners of the Sinking Fund:

SIR—After an examination of the water front in the vicinity of Third street, East river, and the conditions prevailing thereat, I am of the opinion that the interests of the City would be best subserved by the acquisition of the private rights in and to the bulkhead between the northerly line of East Houston street and the southerly line of East Third street, and between the northerly line of East Third street and the southerly line of East Fourth street, being the bulkheads on either side of the Recreation Pier now maintained by this Department at the foot of Third street, on the East river.

With the acquisition of the rights in and to these two bulkhead properties, the City would then be in a position to proceed with the improvements under the new plan at that locality in order to meet the demands for wharfage accommodations thereat. The bulkhead between East Houston street and East Third street covers 116 linear feet and is assessed by the Department of Taxes and Assessments at \$10,000, and the bulkhead between East Third and East Fourth streets covers 195 linear feet and is assessed at \$18,000, and I desire to make offers for the purchase of the private rights at the assessed valuations therefor.

I therefore hereby respectfully request that the Commissioners of the Sinking Fund adopt resolutions authorizing me as Commissioner of Docks, to make and serve on the owners of the said bulkhead rights offers as follows:

1. To the estate of John Dimon (Charles L. Dimon, Caleb A. Dyer and Frederick D. Phillips, Trustees), the sum of \$18,000 for the bulkhead rights appurtenant to the bulkhead between East Third and East Fourth streets, on the East river, 195 feet more or less.

2. To the estate of F. H. Cossitt (A. D. Juilliard, Henry Tallmadge, Henry P. Tallmadge and E. W. Barnes, Trustees), the sum of \$10,000 for the bulkhead rights appurtenant to the bulkhead between East Third and East Houston streets, on the East river, 116 feet more or less.

Yours respectfully,

MAURICE FEATHERSON, Commissioner.

In connection therewith the Comptroller presented the following report of the Engineer of the Department of Finance:

SEPTEMBER 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Dock Commissioner in communication dated September 17, 1904, requests the Commissioners of the Sinking Fund to adopt resolutions authorizing him to make and serve upon the owners of bulkhead rights between East Third and East Fourth streets, an offer to purchase the same for the sum of \$18,000; and also upon the owners of the bulkhead between East Third and East Houston streets, an offer to purchase the same for the sum of \$10,000. Each of the sums named are the assessed valuations of the separate parcels.

At the present time there are applications from both of the parties in interest for releases of certain of the City's rights in and to a street, as yet unopened, and known as East street, reserved from the original water grants.

In the case of the bulkhead between East Third and East Houston streets, which has a length of 116 feet more or less, an offer was made to the City less than a year ago to sell the same for the sum of \$25,000.

I am of the opinion therefore that it would be advisable that this matter be referred to the Bureau of Real Estate in order that a purchase may be effected if possible; or an exchange made which would enure to the benefit of the City, and would at the same time place the City in possession of the premises at a much earlier date, and probably at less cost than if condemnation proceedings were resorted to.

Respectfully,

EUG. E. McLEAN, Engineer.

Which was referred to the Comptroller.

The following communication was received from the Commissioner of Docks, requesting that he be authorized to make offers to purchase certain water-front property on the westerly side of the Boulevard south of Elm street, Astoria, Borough of Queens:

NEW YORK, June 28, 1904.

Hon. N. TAYLOR PHILLIPS, Secretary, Commissioners of the Sinking Fund:

SIR—Numerous requests have from time to time been made for wharfage facilities at Astoria, in the Borough of Queens, and in order to provide such facilities an examination of the water front in that section was made and it was decided that the best place for the purpose would be in the vicinity of Jamaica avenue.

The Department thereupon prepared a plan providing for the construction of two piers at Hallett's Cove, and the plan was recently approved by the Commissioners of the Sinking Fund.

In order to carry out the proposed plan it will be necessary for the City to acquire the interests of the private owners in and of all the land and land under water not now owned by the City westerly of the westerly line of the Boulevard and extending westerly to the bulkhead and pierhead line established by the Secretary of War in 1890, and extending from a line drawn parallel with and distant 300 feet northerly from the northerly line of Jamaica avenue southerly about 90 feet to the northerly side of the present pier southerly of Jamaica avenue, the said property being shown in blue on the map transmitted herewith.

I therefore hereby respectfully request that the Commissioners of the Sinking Fund authorize me as Commissioner of Docks to make offers to the private owners for the purchase of the bulkhead rights and land under water included within the area as described above, the offers for the separate parcels to correspond to the assessed valuations as designated on the map, there being four parcels at \$5,000 each and one parcel at \$4,000.

Yours respectfully

MAURICE FEATHERSON, Commissioner.

In connection therewith the Comptroller presented the following report of the Engineer of the Department of Finance:

SEPTEMBER 2, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Dock Commissioner, in communication of June 28, 1904, requests the Commissioners of the Sinking Fund to approve of offers to be made by him for the purchase of certain water-front property on the westerly side of the Boulevard, south of Elm street, in the former village of Astoria, and now First Ward, Borough of Queens.

The property has a frontage of a little less than 500 feet and from the map submitted the title would appear to be in five owners. The Commissioner submits the assessed valuations of the several pieces, to wit: Four at \$5,000 each, and one (the parcel at the foot of Jamaica avenue) at \$4,000, which are the respective sums he proposes to offer, and amount in the aggregate to \$24,000.

The purpose of this acquisition is to increase the wharfage room in this vicinity, but it will only admit of the construction of two piers 170 feet long by 80 feet wide.

Immediately to the south the City owns the land and land under water at the foot of Broadway, and a pier having a length of about 550 feet and a width of 75 feet was constructed, but I am informed that it was built over a sewer and owing to imperfect construction has now become unsafe and has been closed to traffic by order of the Dock Commissioner.

No reason is given why this pier owned by the City could not be repaired or reconstructed, and thus give better wharfage facilities for the district than the short piers proposed, and as the City will probably be obliged to acquire the property by condemnation proceedings, it will be a long time before the actual improvement can be made.

I would also call your attention to the fact that this is the first time, within my knowledge, where a request has been made to acquire property at the foot of a street, such parcels usually becoming City property by means of a street opening proceeding, in which the cost of acquisition has been paid by the property benefited, and not by the City at large through the medium of Dock Bonds.

Under date of May 2, 1904, I reported to you on the matter of opening of this very street (Jamaica street), and showing how by a technicality the part of the same now proposed to be acquired by the Dock Commissioner, at the expense of the City, was eliminated from the proceedings to open.

I stated at that time that if this technicality was not overcome the City would be placed at large extra expense to acquire the water-front property in the boroughs of Brooklyn and Queens, and that as such a system had never been in vogue in Manhattan and The Bronx it would be an injustice to these boroughs.

My report was referred to the Chief Engineer of the Board of Estimate and Apportionment, who reported on the matter at the meeting of the Board of July 15 and suggested that the matter be referred to the Borough Presidents of Brooklyn, Queens and Richmond for an investigation and report.

As I deem it inadvisable for the City to set a precedent by buying property at the foot of streets, to be paid for by the City at large through the medium of Dock bonds, I would recommend that this matter lie over until the reports of the respective Borough Presidents are received.

Respectfully,

EUG. E. McLEAN, Engineer.

I attach copies of the report referred to above.

Laid over.

The Comptroller presented the following report and offered the following resolution relative to a renewal of the lease of premises No. 100 Covert street, Borough of Brooklyn, for the Board of Education:

AUGUST 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education at a meeting held on June 8, 1904, adopted the following resolution:

"Resolved, That the Commissioners of the Sinking Fund be and they hereby are requested to authorize the renewals of the leases of the following named premises at the rentals and for the terms specified:

"No. 100 Covert street, Brooklyn; Owner, Edmund F. Hanks, No. 552 Putnam avenue, Brooklyn; Annex Public School 85; District No. 36; date of expiration, November 11, 1904, and renewal for one year; term, 1 year; annual rent, \$480 and "water tax."

The Bureau of Buildings and Department of Health report that the ventilation is inadequate. I have communicated with the lessor and he has promised to comply with the suggestions of these Departments.

I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution approving the renewal of this lease by the Board of Education, upon the same terms and conditions as are in the existing lease, after the owner of the building has complied with the requirements of the Department of Health and the Bureau of Buildings.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That after the owner has complied with the requirements of the Department of Health and Bureau of Buildings, the Commissioners of the Sinking Fund hereby approve of and consent to the execution, by the Board of Education, of a renewal of the lease to the City, from Edmund F. Hanks, of the first floor and part of the cellar in the three-story frame building, No. 100 Covert street, southeast corner of Evergreen avenue, Borough of Brooklyn, for a term of one year, from November 11, 1904, at an annual rental of four hundred and eighty dollars (\$480), payable quarterly, and water tax, otherwise upon the same terms and conditions as contained in the existing lease—the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to a renewal of the lease of premises at Nos. 182-184 Cherry street, Borough of Manhattan, for the Board of Education:

AUGUST 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education at a meeting held on August 17, 1904, adopted the following resolution:

"Resolved, That the Commissioners of the Sinking Fund be and they hereby are requested to authorize a renewal of the lease of the premises at Nos. 182-184 Cherry street, Borough of Manhattan, occupied as an annex to Public School 177 for a period from December 15, 1904, to July 1, 1906, with the privilege of renewal for two years on the same terms and conditions as in the existing lease, with the exception of the modification as to date of expiration which has been agreed to by the lessor, Estate of A. E. Goodspeed, No. 180 Cherry street, City."

The Department of Health and the Bureau of Buildings having reported that the condition of these premises is satisfactory for school purposes, I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing a renewal of this lease for a term from December 15, 1904, to July 1, 1906, with the

privilege of renewal for two years, otherwise on the same terms and conditions as contained in the existing lease. Lessor, Estate of A. E. Goodspeed, No. 180 Cherry street, City.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby approve of and consent to the execution by the Board of Education, of a renewal of the lease to the City of premises at Nos. 182-184 Cherry street, Borough of Manhattan, occupied as an annex to Public School 177, for a period from December 15, 1904, to July 1, 1906, with the privilege of a renewal for two years at an annual rental of thirty-five hundred dollars (\$3,500), payable quarterly, otherwise upon the same terms and conditions as contained in the existing lease; lessor, the Estate of A. E. Goodspeed;

—the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to a renewal of the lease of premises on the southeast corner of Stone and East New York avenues, Borough of Brooklyn, for the Board of Education:

AUGUST 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education at a meeting held on June 22, 1904, adopted the following resolution:

"Resolved, That the Commissioners of the Sinking Fund be and they hereby are requested to authorize a lease of the store floor of the premises on the southeast corner of Stone and East New York avenues, Borough of Brooklyn, used as an annex to Public School 84, for a term of one year from December 9, 1904, with the privilege of renewal for an additional year, at an annual rental of \$360, otherwise on the same terms and conditions as in the existing lease. Lessor, Antonio Scocca, on premises."

The Bureau of Buildings and the Department of Health have reported the premises satisfactory for school purposes.

The rent asked, \$360 per annum, is an increase of \$60 per year over the present rent, but owing to a slight increase in values in this section during the past year, I consider the rent asked reasonable and just, and would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing the renewal of this lease at an annual rental of \$360, otherwise upon the same terms and conditions as are in the existing lease.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby approve of and consent to the execution, by the Board of Education, of a renewal of the lease to the City from Antonio Scocca, of the store floor of premises on the southeast corner of Stone and East New York avenues, Borough of Brooklyn, used as an annex to Public School 84, for a term of one year from December 9, 1904, with the privilege of a renewal for an additional year, at an annual rental of three hundred and sixty dollars (\$360), otherwise upon the same terms and conditions as contained in the existing lease—the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to a renewal of the lease of premises at Rockaway avenue and Sumpter street, Borough of Brooklyn, for the Board of Education:

AUGUST 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education, at a meeting held on August 17, 1904, adopted the following resolution:

"Resolved, That the resolution adopted on June 8, 1904, relative to the discontinuing the use of premises at Rockaway avenue and Sumpter street, Borough of Brooklyn, after the expiration of the lease on October 3, 1904, be and it is hereby rescinded.

"Resolved, That the Commissioners of the Sinking Fund be and they are hereby requested to authorize a renewal of the lease of the premises at Rockaway avenue and Sumpter street, Borough of Brooklyn, occupied as an annex to Public School 73, for a term of one year from October 3, 1904, with the privilege of renewal for an additional year, at the present annual rental, three hundred and sixty dollars, and on the same terms and conditions as in the existing lease. Owner, Mrs. Kate Labadorf.

The Department of Health and the Bureau of Buildings having reported that the premises are suitable for school purposes, I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing this renewal on the same terms and conditions as are in the existing lease.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby approve of and consent to the execution by the Board of Education of a renewal of the lease to the City of premises at Rockaway avenue and Sumpter street, Borough of Brooklyn, occupied as an annex to Public School 73, for a term of one year from October 3, 1904, with the privilege of a renewal for an additional year at the present annual rental of three hundred and sixty dollars (\$360), payable quarterly and on the same terms and conditions as contained in the existing lease; owner, Mrs. Kate Labadorf—the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The following report and resolution were received from the Board of Education relative to a renewal of the lease of premises corner of St. Ann's avenue and One Hundred and Forty-fourth street, Borough of The Bronx:

To the Board of Education:

The Committee on Buildings respectfully reports that on May 25, 1904 (see Journal, page 1038), the Board of Education adopted a resolution, requesting the Commissioners of the Sinking Fund to authorize the renewals of certain leases, and among them the lease which will expire October 15, 1904, of the premises at the northwest corner of St. Ann's avenue and One Hundred and Forty-fourth street, occupied as an annex to Public School 30, Borough of The Bronx, for a period up to July 1, 1905. On June 17, 1904, the Commissioners of the Sinking Fund granted the necessary authority, and the attorneys for the owner, through whom all negotiations in the past and in the present instance were conducted, were notified that the lease was ready for execution. These attorneys transmitted a communication, stating that they had agreed to the execution of the renewal without consultation with the owner, who now refused to renew the lease unless the annual rental was increased from \$420 to \$600.

The matter was then referred to the Corporation Counsel for an opinion as to whether the owner could not be held by the action of his attorneys. In reply the Cor-

poration Counsel transmitted an opinion that the communication of the attorneys for the owner, agreeing to the renewal of the lease did not constitute an enforceable contract for said purpose and that it would be impracticable to attempt to establish such a contract. A sub-committee then investigated the matter and reported that in view of the rentals paid in the neighborhood the rental asked, \$600 per annum, is not excessive.

The following resolutions are submitted for adoption:

Resolved, That so much of the resolution adopted by the Board of Education on May 25, 1904, as relates to requesting the Commissioners of the Sinking Fund to authorize a renewal of the lease of the school premises at the northwest corner of St. Ann's avenue and One Hundred and Forty-fourth street, Borough of The Bronx, be and it is hereby rescinded.

Resolved, That the Commissioners of the Sinking Fund be and they are hereby requested to rescind the action taken by them on June 17, 1904, relative to the before-mentioned lease, and to authorize the renewal of the same for a period up to July 1, 1905, at an annual rental of \$600, and on the same terms and conditions as in the existing lease. Owner, William W. Caswell, Warren & Skillin, No. 96 Broadway, City.

A true copy of report and resolutions adopted by the Executive Committee of the Board of Education on September 21, 1904.

A. EMERSON PALMER, Secretary, Board of Education.

In connection therewith the Comptroller presented the following report and offered the following resolution:

SEPTEMBER 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education at a meeting held September 21, 1904, adopted the following resolution:

Resolved, That so much of the resolution adopted by the Board of Education on May 25, 1904, as relates to requesting the Commissioners of the Sinking Fund to authorize a renewal of the lease of the school premises at the northwest corner of St. Ann's avenue and One Hundred and Forty-fourth street, Borough of The Bronx, be and it is hereby rescinded.

Resolved, That the Commissioners of the Sinking Fund be, and they are hereby requested to rescind the action taken by them on June 17, 1904, relative to the before-mentioned lease, and to authorize the renewal of the same for a period up to July 1, 1905, at an annual rental of \$600, and on the same terms and conditions as in the existing lease. Owner, William W. Caswell, Warren & Skillin, No. 96 Broadway, City.

I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution amending that much of paragraph I. of the resolution adopted June 17, 1904, "at the rental at the rate of \$420," to read "at a rental at the rate of \$600 per annum," otherwise upon the same terms and conditions as contained in the existing lease. Lessor, Wm. W. Caswell.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That so much of the resolution adopted by this Board at meeting held June 17, 1904, as relates to a renewal of the lease of the store floor and part of the cellar in the building on the northwest corner of One Hundred and Forty-fourth street and St. Ann's avenue, Borough of The Bronx, for the use of the Board of Education, for a term from October 15, 1904, to July 1, 1905, at a rental at the rate of four hundred and twenty dollars (\$420) per annum, payable quarterly, otherwise upon the same terms and conditions as contained in the existing lease (paragraph 1), be and the same is hereby amended by substituting "six hundred dollars" as the rental, in place of "four hundred and twenty dollars."

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to a renewal of the lease of premises No. 398 First avenue, Borough of Manhattan, for the Department of Public Charities:

SEPTEMBER 13, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Secretary of the Department of Public Charities, in a communication under date of August 31, 1904, requests the renewal of the lease of the premises, No. 398 First avenue, Borough of Manhattan, for one year from November 1, 1904, at the rental of \$3,000, instead of \$2,400, the rate at present.

The premises have been under lease since 1896 and considerable money has been spent by the City in order to make the place available for proper usage as a Municipal Lodging House. The City is about to purchase a site and erect a building for a new Municipal Lodging House, and the Commissioner states "before the expiration of the next year, we hope to move into a new City Lodging House."

The rental of \$3,000 was considered high, and, after negotiations with the owners, they have agreed to accept \$2,850, which, while full rental value, is not excessive in view of the fact that the premises are adapted to their present use, and a large amount of money would have to be spent in fitting up new quarters. I would, therefore, respectfully recommend that the Commissioners of the Sinking Fund authorize the renewal of the lease of premises, No. 398 First avenue, Borough of Manhattan, for the use of the Department of Public Charities, for a term of one year from November 1, 1904, at the annual rental of two thousand eight hundred and fifty dollars (\$2,850), payable quarterly; otherwise, upon the same terms and conditions as contained in the existing lease. Lessors, Henrietta Hirsch and Lena Roth.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City from Henrietta Hirsch and Lena Roth, of premises No. 398 First avenue, Borough of Manhattan, for the use of the Department of Public Charities, for a term of one year, from November 1, 1904, at an annual rental of two thousand eight hundred and fifty dollars (\$2,850), payable quarterly, otherwise upon the same terms and conditions as contained in the existing lease—the Commissioners of the Sinking Fund deeming the said rent fair and reasonable, and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to the lease of premises on Thompson avenue, Elmhurst, Borough of Queens, for the use of the President of the Borough (see page 604):

AUGUST 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The President of the Borough of Queens in a communication under date of July 29, 1904, states that "Mrs. Mary Smithwick, executrix of the premises situate on the southerly side of Thompson avenue, 700 feet from Broadway, in the Village of Elmhurst, refuses to lease the same to the City for the sum of \$200 per annum or any sum less than \$300 per annum."

The Commissioners of the Sinking Fund at a meeting held July 20, 1904, adopted a resolution authorizing a lease of these premises at a rental of \$200 per annum, and it appears that the lessors have refused to execute the lease at that rental.

The Department of Highways requires in the Second Ward of the Borough of Queens, a location for a branch office where the men may be paid, sufficient space for the storage of tools and material required on the work and a place to house the large road scrapers and plows during the winter weather. These premises afford the accommodations desired and is centrally located. The lessor is ready to give possession of the entire premises from the date of signing of the lease.

I would respectfully recommend that the Commissioners of the Sinking Fund rescind the resolution of July 20, 1904, relative to the lease of premises on Thompson avenue, Borough of Queens, and adopt a resolution authorizing a lease of the plot of ground 50 by 100 feet and the 2-story frame building 35 by 50 feet, situated on the southerly side of Thompson avenue, about 700 feet west of Broadway, Village of Elmhurst, Borough of Queens, for a term of one year from July 1, 1904, at an annual rental of \$300. Lessor to make outside repairs and erect a fence around the entire plot, in accordance with the requirements of the Bureau of Highways. Lessor, Mrs. Mary Smithwick, executrix.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the resolution adopted by this Board at meeting held July 20, 1904, authorizing the lease of premises on the southerly side of Thompson avenue 700 feet from Broadway, in the Village of Elmhurst, Borough of Queens, for the use of the President of the Borough of Queens, be and the same is hereby rescinded.

Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City from Mrs. Mary Smithwick, executrix, of the plot of ground 50 by 100 feet and the two-story frame building 35 by 50 feet, situated on the southerly side of Thompson avenue about 700 feet west of Broadway, Village of Elmhurst, Borough of Queens for the use of the President of the Borough of Queens, for a term of one year from July 1, 1904, at an annual rental of three hundred dollars (\$300), payable quarterly, the lessor to make outside repairs and to erect a fence around the entire plot in accordance with the requirements of the President of the Borough; and the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared, and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter.

The report was accepted and the resolutions severally unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to an amendment to resolution authorizing a lease of premises at Hamilton avenue and Smith street, Borough of Brooklyn, for the Department of Bridges (see page 246):

AUGUST 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Commissioners of the Sinking Fund at a meeting held on March 29, 1904, adopted a resolution relative to leasing premises at Hamilton avenue and Smith street, Borough of Brooklyn, from the Brooklyn Heights Railroad Company.

It appears that the lessor refused to execute the lease on account of the clause relating to light, heat and janitor service, and that this is in accordance with an understanding of the matter with the Bridge Department.

I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution amending the resolution of March 29, 1904, by striking out the part reading "the owner to furnish light, heat and janitor service," and adding the clause, "that the lessor may terminate the lease upon sixty days' notice in writing."

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the resolution adopted by this Board at meeting held March 29, 1904, authorizing the lease of premises at Hamilton avenue and Smith street, Borough of Brooklyn, for the use of the Department of Bridges, be and the same is hereby amended by striking out the words "the owner to furnish light, heat and janitor service," and by adding the words "that the lessor may terminate the lease upon sixty days' notice in writing."

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to a lease of rooms in the Park Row Building, Nos. 13-21 Park row, Borough of Manhattan, for the Department of Bridges:

AUGUST 18, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Commissioner of Bridges, in a communication under date of August 11, 1904, requests a lease of Rooms 1232, 1233, 1234 and 1235, on the twelfth floor of the building Nos. 13-21 Park row, Manhattan, for a term of one year from date of occupation, at an annual rental of \$822.15, with the privilege of renewal, for use for additional offices for the Department.

The rent asked for these rooms, \$822.15 per annum, is at the rate of \$1.45 a square foot, which is the special rate the City pays for similar offices in this building.

I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing a lease of Rooms known as Nos. 1232, 1233, 1234 and 1235, containing an area of 567 square feet, on the twelfth floor of the office building Nos. 13-21 Park row, Manhattan, for a term from date of occupation to April 1, 1905, at an annual rental of \$822.15; payable quarterly, for additional offices for the use of the Bridge Department, the lessor to supply light, heat, water, elevator and janitor service. Lessors, Park Row Realty Company.

Respectfully submitted for approval,

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City, from the Park Row Realty Company, of Rooms Nos. 1232, 1233, 1234 and 1235, containing an area of 567 square feet on the twelfth floor of the Park Row Building, Nos. 13-21 Park row, Borough of Manhattan, for the use of the Department of Bridges, for a term from the date of occupation to April 1, 1905, at an annual rental of eight hundred and twenty-two dollars and fifteen cents (\$822.15), payable quarterly; the lessor to supply light, heat, water, elevator and janitor service;—and the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to lease of a plot of land on the north side of One Hundred and Thirty-fifth street, 35 feet west of the Mott Haven canal, Borough of The Bronx, for the use of the Fire Department:

SEPTEMBER 16, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Hon. Nicholas J. Hayes, Commissioner of the Fire Department, in a communication to the Commissioners of the Sinking Fund, under date of September 13, 1904, asks that a lease be made by the City of the premises on the north side of

One Hundred and Thirty-fifth street, 35 feet west of Mott Haven canal, Borough of The Bronx, a plot 50 feet in front by 70 feet in depth for a period of one year from October 1, 1904, at an annual rental of \$80, payable quarterly, with the privilege of renewal, said premises being required for the use of his Department as a storage yard for telegraph poles. The owner is the Nassau Investment Company, Westmoreland Davis, President, No. 31 Nassau street, Manhattan.

This is the easterly 50 feet of Lot No. 64, Block 2332, Borough of The Bronx, size 98.01 by 70 feet, which is assessed "Unknown," at \$8,000, or about \$2,000 a lot. The rental asked is fair and reasonable, and I would respectfully recommend that the Commissioners of the Sinking Fund approve of the request of the Commissioner of the Fire Department and authorize a lease of the premises for a period of one year from October 1, 1904, with the privilege of a further renewal, at an annual rental of \$80, payable quarterly. Owner, Nassau Investment Company, Westmoreland Davis, President, No. 31 Nassau street, Manhattan.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Corporation Counsel be and is hereby requested to prepare a lease to the City from the Nassau Investment Company, Westmoreland Davis, President, of the premises on the north side of One Hundred and Thirty-fifth street, thirty-five feet west of Mott Haven Canal, in the Borough of The Bronx, being a plot fifty feet front by seventy feet in depth, for the use of the Fire Department, for a period of one year from October 1, 1904, at an annual rental of eighty dollars (\$80), payable quarterly, with the privilege of renewal upon the same terms and conditions—and the Commissioners of the Sinking Fund, deeming the said rent fair and reasonable, and that it would be for the interests of the City that such lease be made, the Comptroller be and is hereby authorized and directed to execute the same when prepared and approved by the Corporation Counsel, as provided by sections 149 and 217 of the Greater New York Charter.

The report was accepted, and the resolution unanimously adopted.

The following communication was received from the Department of Street Cleaning, relative to a lease of premises No. 1692 Avenue A, corner of Eighty-ninth street, Borough of Manhattan:

NEW YORK, August 26, 1904.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman, Board of Commissioners of the Sinking Fund:

SIR—I request the consent and approval of your Board for a lease, pursuant to section 541 of the Charter, from Joseph Usoskin (residing at Nos. 123-139 Middleton street, between Harrison and Marcy avenues, Borough of Brooklyn), of the store or ground floor of premises known as No. 1692 Avenue A (corner of Eighty-ninth street), in the Borough of Manhattan, for the use of this Department as a section station, for a term of three (3) years from the first day of October, 1904, at an annual rental of \$480, payable monthly, the lessor to keep the premises in good tenantable repair and the City to pay for the Croton water used on the premises.

Mr. Usoskin agrees to put in a new floor in the store, to paint or paper the same, as may be desired, and to put in a new washout toilet closet and urinal; also to concrete and cement the floor of the basement and whitewash the walls and ceilings of the same, and to turn over the store and basement in a first-class condition.

The premises consist of a store 17 feet 7 inches in width and 34 feet in depth, having on one side the room intended as above mentioned for the toilet closet, and opposite to it, on the other side of the store, a room to be used as a urinal.

This lease is intended to take the place of the one now held from Ferdinand Schaad, of the first floor and cellar and portion of yard in the rear of No. 339 East Eighty-sixth street, and it is generally superior for the purposes of this Department to the present leased premises.

Respectfully,

JOHN McG. WOODBURY, Commissioner.

In connection therewith, the Comptroller presented the following report and offered the following resolution:

AUGUST 31, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Honorable John McGaw Woodbury, Commissioner of the Department of Street Cleaning, in a communication under date of August 26, 1904, requests a lease of the store or premises No. 1692 Avenue A, corner of Eighty-ninth street, Manhattan, for a term of three years from October 1, 1904, at an annual rental of \$480, payable monthly.

This lease is intended to take the place of the one now held from Ferdinand Schaad of the first floor and cellar and portion of yard in the rear of No. 339 East Eighty-sixth street, and it is generally superior for the purposes of the Department of Street Cleaning than the present leased premises.

I have had an examination made of these premises, and beg to report that this is the corner store, size 17 by 34 feet, of the three-story brick dwelling known as No. 1692 Avenue A, Borough of Manhattan.

The lessor agrees to put the store in first-class order, and the rent asked being reasonable I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing a lease of the store and front part of the cellar of the premises located at No. 1692 Avenue A, corner of Eighty-ninth street, Borough of Manhattan, for a term of three years from October 1, 1904, at an annual rental of \$480, payable monthly, for a section station for the Department of Street Cleaning; lessor to put in a new washout toilet closet and urinal, concrete and cement the floor of the basement, whitewash the walls and ceilings of the same, and to paint or paper the walls and ceilings of the store and put in a new floor and keep the premises in good tenantable repair. The City to pay for the Croton water used in that part of the premises occupied by the Department of Street Cleaning. Lessor, Joseph Usoskin.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby approve of and consent to the execution, by the Commissioner of Street Cleaning, of a lease to the City from Joseph Usoskin, of the store and front part of the cellar of the premises located at No. 1692 Avenue A, corner of Eighty-ninth street, Borough of Manhattan, for a term of three years from October 1, 1904, at an annual rental of four hundred and eighty dollars (\$480), payable monthly, the lessor to put in a new washout toilet, closet and urinal, concrete and cement the floor of the basement, whitewash the walls and ceilings of the same, and to paint or paper the walls and ceilings of the store, and put in a new floor and keep the premises in good tenantable repair; the City to pay for the Croton water used in that part of the premises occupied by the Department of Street Cleaning; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable, and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The following communication was received from the Department of Street Cleaning, relative to the lease of a plot of ground on the south and west sides of Coney Island creek, between the thread of said creek and the centre line of Fifteenth street, Borough of Brooklyn:

NEW YORK, August 18, 1904.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman, Board of Commissioners of the Sinking Fund:

SIR—I request the authority of your Board, pursuant to section 541 of the Charter, for the hiring by the day, at the rate of \$5 per day, including Sundays and legal holidays, from the corporation known as the Realty Associates (office, No. 179 Remsen street, Borough of Brooklyn), beginning with the first day of July, 1904, and for as long as it may be necessary for the Department of Street Cleaning to use the same as a garbage dump, of all that plot of ground on the south and west sides of Coney Island creek, between the thread of said creek and the centre line of Fifteenth street, as laid out on a certain map of property of Charles Hart, surveyed and drawn by Charles Voorhees, surveyor, and extending south from the easterly line of Fifteenth street one hundred feet, and a line at right angles with said Fifteenth street, with the privilege to the City to maintain a dumping-board thereon.

This property has been occupied by this Department since the 15th of June, 1903, as a place for dumping garbage, under a lease from Theresa B. Ennis and Sarah A. McCarthy, for a term of six months from June 15, 1903, and it seems that the said property has been conveyed by the said Theresa B. Ennis and Sarah A. McCarthy to the Realty Associates above mentioned.

Respectfully,

F. M. GIBSON, Deputy and Acting Commissioner.

Hon. N. TAYLOR PHILLIPS, Deputy Comptroller, Secretary of the Board.

In connection therewith the Comptroller presented the following report and offered the following resolutions:

AUGUST 25, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Commissioners of the Sinking Fund, at a meeting held May 23, 1904, adopted a resolution in relation to a lease of property on Coney Island creek and the centre line of Fifteenth street, Borough of Brooklyn, for the use of the Department of Street Cleaning, for a term of six months from June 1, 1904, at a rental at the rate of \$1,800 per annum.

Afterwards, it appears that this property was conveyed to a corporation known as the Realty Associates, and they have refused to execute the lease because they would rather have it under the same terms and conditions as authorized in a former resolution dated August 10, 1903, as they want to be in a position to sell if possible.

I would respectfully recommend that the Commissioners of the Sinking Fund rescind the resolution of May 23, 1904, in relation to the lease of property on Coney Island creek and Fifteenth street, and adopt a resolution authorizing a lease of all that plot of ground on the south and west sides of Coney Island creek, between the thread of said creek and the centre line of Fifteenth street, as laid out on a certain map of property of Charles Hart, surveyed and drawn by Charles Voorhees, surveyor, and extending south from the easterly line of Fifteenth street 150 feet to a line at right angles with said Fifteenth street, with the privilege to the City to erect a dumping-board thereon, and to remove the same upon the termination of this lease, at a rental at the rate of \$5 per day, including Sundays and holidays, beginning with the first day of June, 1904, and for as long as may be necessary for the Department of Street Cleaning to use the same. Lessor, Realty Associates.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the resolution adopted by this Board, at meeting held May 23, 1904, approving of and consenting to the execution, by the Commissioner of Street Cleaning, of a lease to the City of property on Coney Island creek and the centre line of Fifteenth street, Borough of Brooklyn, be and the same is hereby rescinded.

Resolved, That the Commissioners of the Sinking Fund hereby approve of and consent to the execution by the Commissioner of Street Cleaning, of a lease to the City from the Realty Associates, of all that plot of ground on the south and west sides of Coney Island creek, between the thread of said creek and the centre line of Fifteenth street as laid out on a certain map of property of Charles Hart, surveyed and drawn by Charles Voorhees, surveyor, and extending south from the easterly line of Fifteenth street 150 feet to a line at right angles to said Fifteenth street, with the privilege to the City of erecting a dumping-board thereon and to remove the same upon the termination of the lease, at a rental at the rate of five dollars per day, including Sundays and holidays, beginning on June 1, 1904, and for as long as may be necessary for the Department of Street Cleaning to use the same—the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolutions severally unanimously adopted.

The following application was received from John J. Harkins for a lease of premises on North Moore street, running through to West Broadway:

NEW YORK, June 9, 1904.

Hon. E. M. GROUT, Comptroller, New York:

DEAR SIR—Wishing to lease for a term of 10 years lot known as No. 10 North Moore street; also lot running on an L to No. 226 West Broadway, regardless to the building thereon.

Will pay \$1,000 and taxes per year for both lots.

Would erect a four-story private stable on same.

Inclosed find diagram of lots.

Yours respectfully,

JOHN J. HARKINS,

No. 330 Church street.

NEW YORK, September 1, 1904.

HUBERT L. SMITH, Esq., Assistant Deputy Comptroller:

SIR—In reply to yours of August 29, in re "form of lease to John Harkins of property No. 10 North Moore street for a term of years at a rental of one thousand dollars a year and taxes," permit me to say that this is the only section-station belonging to the Department of Street Cleaning which the City owns. It would be impossible for us to find in this part of the town a building as suitable for the purposes of this Department at a rental less than \$3,000 a year. I earnestly request that no such lease be entered into, and that this property be not withdrawn from the Department of Street Cleaning. We have little enough equipment now and absolutely no stabling facilities or room of our own in this part of the town, and would you take away even that which we have?

Respectfully,

JOHN McG. WOODBURY, Commissioner.

The Commissioners of the Sinking Fund, at a meeting held October 16, 1903, having assigned the property desired by Mr. Harkins to the Department of Street Cleaning, papers are returned herewith to the Commissioners of the Sinking Fund for such action as they may deem necessary and proper.

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

September 12, 1904.

Filed:

The Comptroller presented the following report and offered the following resolution relative to bill of J. W. Stagg, for services in connection with the sale of machinery, etc.

JULY 23, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Commissioners of the Sinking Fund authorized the sale of a building and its contents acquired for park purposes, formerly known as the factory of the American Reed and Rattan Company, located in the Borough of Brooklyn. This office, under your authority, employed J. L. Stagg, a Mechanical Engineer, and many times employed by the Corporation Counsel in estimating the value of machinery, for the purpose of examining the machinery upon the premises, certifying that the machinery as acquired by the City was still upon the premises at the expiration of the lease of the company and their removal therefrom; also to find purchasers for the machinery. He was so successful in this instance, that the price realized for the machinery, about 22 per cent. of the amount paid by the City, was far beyond anything that anyone has heretofore estimated as being the amount of money the City would derive from machinery thrown into the street.

The bill for his services, which has been approved by me, amounts to \$50, and I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution approving of the payment of this bill.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Comptroller be and is hereby authorized and directed to pay to J. L. Stagg, the sum of fifty dollars (\$50), being the amount of his bill for services as Machinery Expert, in connection with the sale by the City of machinery, etc., at No. 18 Guernsey street, in the Borough of Brooklyn, formerly the property of the American Rattan and Reed Manufacturing Company; said payment to be made from the appropriation for 1904, entitled "Commissioners of the Sinking Fund—Expenses of."

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution, relative to bill of Richard Deeves for expert services in connection with the granite work of the Seventy-first Regiment Armory:

SEPTEMBER 22, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Armory Commissioners in communication, September 15, 1904, to the Commissioners of the Sinking Fund, says: "At a meeting of the Armory Board held September 15, 1904, the following was adopted:

"Resolved, That the Armory Board does hereby approve the bill and expense of Richard Deeves, for expert services in the matter of the granite work of the Seventy-first Regiment Armory, in the Borough of Manhattan, in the amount of two hundred and fifty dollars (\$250), and that the Commissioners of the Sinking Fund be requested to concur and the Comptroller authorized to pay. The voucher is herewith transmitted."

The bill submitted is, as stated in the resolution, "for expert services in the matter of the granite work of the Seventy-first Regiment Armory," but as I understand from the report of Mr. Deeves (copy of which is inclosed) the bill was actually for services as arbitrator on the granite work for the Seventy-first Regiment Armory.

There is no inflexible rule by which such charges can be judged, but I consider that an opinion expressed by a man of high standing in his business, like Mr. Deeves, after careful study of a somewhat intricate subject, like that presented, justifies the payment of the amount of \$250, charged in his bill, and think that the Commissioners of the Sinking Fund may properly concur in the resolution of the Board as requested therein.

Respectfully,

EUG. E. McLEAN, Engineer.

Resolved, That the Commissioners of the Sinking Fund hereby concur in the following resolution, adopted by the Armory Board at meeting held September 15, 1904:

"Resolved, That the Armory Board does hereby approve the bill and expense of Richard Deeves, for expert services in the matter of the granite work of the Seventy-first Regiment Armory, in the Borough of Manhattan, in the amount of two hundred and fifty dollars (\$250), and that the Commissioners of the Sinking Fund be requested to concur and the Comptroller authorized to pay."

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following papers relative to application of Abram Springsteen for a release or quit claim:

SEPTEMBER 20, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—On May 4, 1904, Charles S. Taber, counsellor at law, representing Abram Springsteen, addressed a communication to the Commissioners of the Sinking Fund, inclosing a petition of the said Springsteen, requesting a release of certain property located in the Borough of Brooklyn, being part of the Old Hunterfly road, and also the land lying between "the patent line between New Lots and Flatlands and the Hunterfly road."

A report was made thereon and transmitted to the Corporation Counsel for his opinion, and, under date of July 21, the Corporation Counsel states:

"The land lying between the patent line and the Hunterfly road was a part of the common lands of the former Town of New Lots. It is not claimed that the strip of land in question was acquired by any conveyance from the town authorities, nor in the manner provided by law for the alienation of the common lands of a town. It does not appear that any consideration was paid. It is claimed, however, that this strip has been fenced in and occupied by the petitioner and by his predecessors in title for a sufficient length of time to acquire title thereto by adverse possession against the town and against its successors, the City of Brooklyn and the City of New York."

He closes by saying:

"I see no reason why the City should now be asked to strengthen or make good for a nominal consideration a title to lands claimed to have been acquired in the manner indicated, and he advises that the application of the petitioner, so far as this strip of land is concerned, be denied."

To the portion of the Old Hunterfly road, he says he sees no reason why a release of the City's interest should not be given.

I desire to say, however, that the property included between the patent line and the Hunterfly road, practically belonging to The City of New York, there can be no release of one-half of the Old Hunterfly road given to the petitioner until the question of title to the property between the patent line and the Hunterfly road is settled, for, in the event of the title being in the City, the petitioner's property does not front or adjoin the Hunterfly road.

The petitioner's attorney was communicated with under date of August 23, 1904, and a reply was received under date of August 26. All of the papers, including a copy of a report, is transmitted herewith, and I would respectfully recommend that inasmuch as the papers are addressed to the Commissioners of the Sinking Fund, that they be filed with that Board and printed in full in the minutes for future reference.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

BOROUGH OF BROOKLYN, NEW YORK CITY, May 4, 1904.

To the Honorable Commissioners of the Sinking Fund of The City of New York, Stewart Building, Borough of Manhattan, New York City:

DEAR SIRS—I inclose herewith the petition of Abram Springsteen for deed of certain property in the Twenty-sixth Ward of the Borough of Brooklyn, to quiet a question in the title.

I will be obliged, if you take up this matter at your earliest convenience and notify me when and upon what terms a deed to the property in question can be given by The City of New York.

The execution and delivery of such a deed will quiet certain questions affecting this title and by making the property marketable will increase the taxable value of a considerable parcel of land.

I remain

Yours very respectfully,
CHARLES S. TABER.

To the Honorable Commissioners of the Sinking Fund of the City of New York:

The undersigned, Abram Springsteen, hereby petitions you to authorize the execution of a deed to him, by The City of New York, of certain property hereinafter described for the purpose of removing a cloud on his title, and he bases his petition on the following facts:

By a patent of Thomas Dongan, Lieutenant Governor and Vice-Admiral of New York, bearing date November 12, 1685, commonly called the "Dongan Charter," the boundary line between the town of Flatlands and that part of the town of Flatbush which subsequently became the town of New Lots, is described as follows: "Begin at the mouth of the Fresh-kill and so along by a certain ditch which lies betwixt Amersfoot and Flatbush Meadows, and so running along the ditch and fence to a certain white-oak marked tree, and from thence upon a straight line to the westernmost point of a small island of woodland, lying before John Styker's Bridge; and from thence with a straight line to the northwest hook or corner of John Oakies' meadow, and from thence along the said ditch and fence to the swamp of the Fresh-kill, and so along the swamp and hollow of the aforesaid kill, to the land of Keuter's Hook; thence along the same to a white oak tree, etc."

Upon information and belief that prior to the year 1680 the town of New Lots, then known as the New Lots of Flatbush, was laid off into lots or tracts of upland and meadow, which lots were set off in severalty to various individuals, inhabitants of said town. That portion of New Lots lying between the highway leading from Brooklyn to Jamaica, formerly known as the Jamaica turnpike, on the north, and the road leading along the New Lots, also known as the New Lots road, on the south, between the Jamaica line on the east, and Keuter's Hook and the Hunterfly road on the west, was laid off and divided into various lots of upland and meadow, none of which lots included any lands or premises lying west of the Hunterfly road.

The Hunterfly road is an ancient highway which has been in use from the time when the memory of man runneth not to the contrary, and is universally considered as a road in use during the Dutch proprietorship of New York, and therefore known as a Dutch road, the title to which would be vested in The City of New York. This road is recorded in the "Court and Road Records" of Kings County under date of March 27, 1704, as follows: "13. One common highway from the New lots of flatbush to the ferry, beginning at the southwest corner of Evert Van Wyckley's land and soe all along by Reyne Ariantse's house as the way now is in use to the land of Jacob Vandewater, and so all along along the east side of said land to the eastward of Bedford lots as the way now is in use to the way that leads from Jamaica to the ferry."

The use of said Hunterfly road was discontinued after Paca (now Rockaway) avenue was opened and improved, and said road between Rockaway avenue and New Lots road, including the portion abutting upon the property in question has not been in use for many years, and is now covered up and obliterated by earth and ash filling.

A strip of land lying between the patent line between New Lots and Flatlands, and the Hunterfly road, running northerly from New Lots road, was never set off in severalty by the town of Flatbush or the town of New Lots, and remained as part of the common lands of said town.

The Town of New Lots was annexed to the City of Brooklyn by act of the Legislature passed May 13, 1886 (chapter 334, Laws of 1886), and the City of Brooklyn was annexed to The City of New York by act of the Legislature passed May 4, 1897 (chapter 378, Laws of 1897).

John H. Lott by deed from James I. Van Buren and others dated May 21, 1798, recorded October 20, 1849, in the Kings County Register's office in Liber 203 of Conveyances, page 116, became seized in fee of a farm of about 100 acres, of which the property marked "A" upon the annexed diagram forms a part.

Henry Lott and John R. Lott, sons of John H. Lott, made a partition and division of said farm, and the plot marked "A" on the annexed map was conveyed in severalty to John R. Lott. (See deed Henry Lott to John R. Lott, dated October 11, 1830, Kings County Register's office, Liber 29, page 261.) The easterly boundary of this farm, according to the deed, was the patent line between Flatlands and Flatbush (New Lots).

This farm was afterwards sold to Richard Remsen by William Wyckoff, committee of John R. Lott (May 8, 1849, Liber 195, page 334), and by Richard Remsen to John Ryerson (October 18, 1849, Liber 203, page 138).

The northerly and southerly fences of the easterly neck of said farm were built on the lines of said farm and in continuation thereof to the westerly side of the Hunter Fly road, and a fence was built along the westerly side of said road, so as to include within the boundaries of said farm the plot marked "B" on the annexed map. This plot has been, from the earliest recollection of the oldest inhabitants, inclosed by a substantial post and rail fence as part of the farm shown as "A" on said map. This adverse possession extended from a period antedating the year 1840 until after Pacca (Rockaway) avenue was opened, in or about 1870, and the fences remained standing for many years thereafter.

(See affidavits of Maria Ryerson and E. V. Brand hereto annexed.)

John Ryerson died in possession of this property on April 5, 1901, leaving a last will and testament which was proved in Queens County on the 16th day of May, 1901.

Jacob V. Ryerson, as sole surviving executor of the will of said John Ryerson, deceased, conveyed to your petitioner by deed dated April 25, 1904, and recorded in the Kings County Register's office on the 26th day of April, 1904, all that part of said farm designated as "B" on the annexed map, by the following description:

All that certain lot, piece or parcel of land, situate, lying and being in the Twenty-sixth Ward of the Borough of Brooklyn, County of Kings, City and State of New York, bounded westerly by lands heretofore conveyed by John Ryerson to Carrie V. Mesick by deed dated April 28, 1899, and recorded in the Register's office of Kings County on April 29, 1899, section 12, liber 12, of conveyances, at page 387; northerly by lands heretofore belonging to John Vandever; easterly by the centre line of the Hunter Fly road, and southerly by land heretofore belonging to John Williamson.

It appears by the foregoing that The City of New York, as successor of the ancient towns of Flatbush and New Lots, and of the City of Brooklyn, appears to have title to the premises above described, lying westerly of the Hunter Fly road, which title has been extinguished by the adverse possession and user of said property by the petitioner and his predecessor in title; and that said City of New York has an apparent title to that part of the Hunter Fly road adjoining this property by reason of the fact that said road is probably a Dutch road.

Wherefore your petitioner asks that your Honorable Body authorize and empower the proper officers of The City of New York to make a conveyance of the property herein lastly described to your petitioner.

Dated April 29, 1904.

ABRAM SPRINGSTEEN.

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

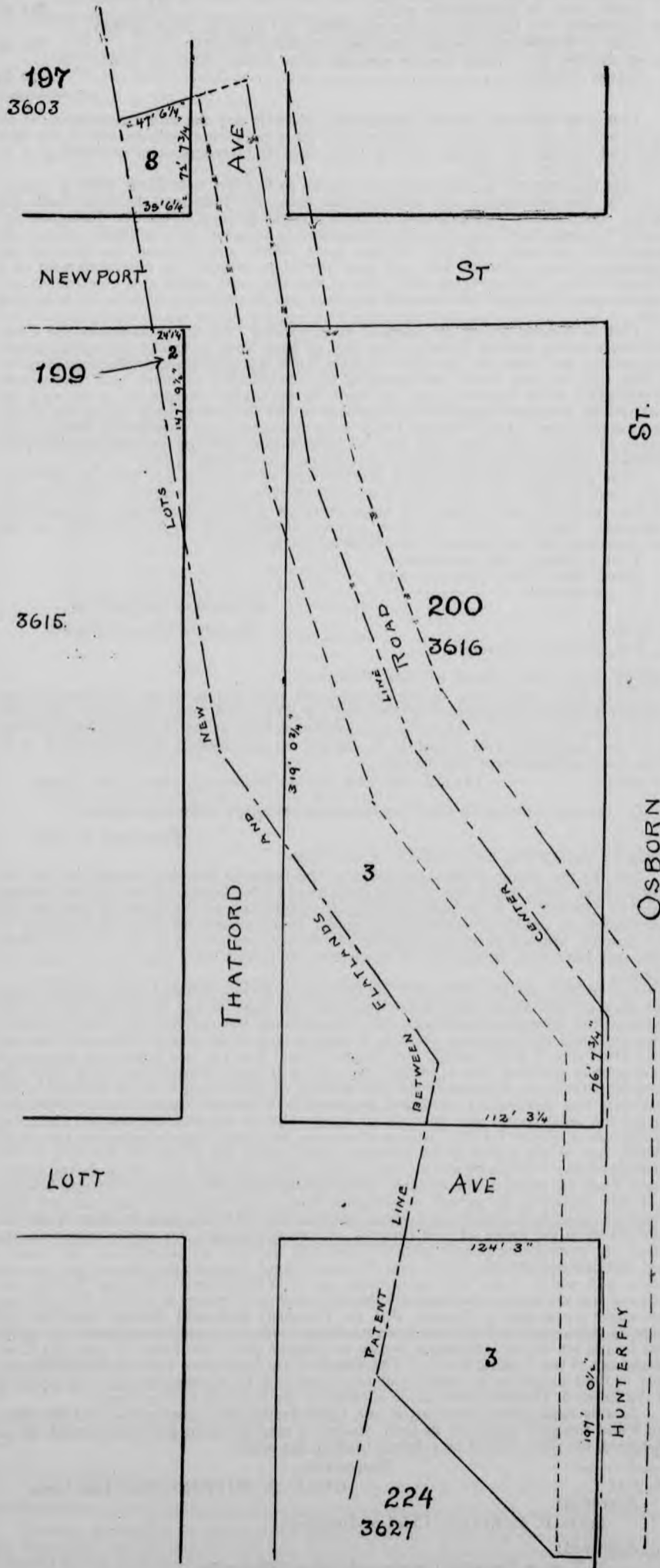
Abram Springsteen being duly sworn deposes and says that he is the petitioner above named, that he has read the foregoing petition and the same is true of his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to these matters he believes it to be true.

ABRAM SPRINGSTEEN.

Sworn to before me this 29th day of April, 1904.

ROBERT A. FORDHAM,

Commissioner of Deeds, City of New York,
residing in the Borough of Queens.



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

Maria Ryerson, being duly sworn, says:

I reside on Woodhaven avenue, Woodhaven, Queens County. I am the widow of John Ryerson, who formerly resided at Flatlands Neck, Kings County, New York. I am a daughter of George Williamson, who formerly owned the farm on the easterly side of Hunterfly road in the former Town of New Lots, Kings County.

My husband, John Ryerson, formerly owned a farm having a frontage upon the road leading from Flatbush to New Lots, which he acquired by deed from Richard Remsen and wife, dated October 18, 1849, and recorded in the office of the Register of Kings County on October 20, 1849, in Liber 203, of conveyances, at page 138. Mr. Ryerson and I moved upon said farm about the time he purchased it in 1849, and we occupied it until 1873, when we moved to Woodhaven. My son, George W. Ryerson, occupied the same farm from that time until about 1885, then we leased it for about five years, after which my son, Clarence, occupied it until we sold it to Catharine V. Mesick on April 28, 1899.

When my husband and I took possession of the farm the easterly portion was fenced in to the Hunterfly road. There was a substantial post and rail fence on the westerly side of the Hunterfly road, and there were substantial post and rail fences on the division lines between the farm in question and the Vanderveer farm on the north and the Williamson farm on the south. These division fences ran to the fence on the side of the Hunterfly road. The strip of land lying between the Hunterfly road and the patent line, so-called, was always fenced in with and claimed to be part of this farm.

I attended school as a girl on New Lots road and had occasion to pass through the Hunterfly road daily going to and from school. I can clearly remember these fences standing as I have above described as far back as I can recall anything about the locality. My memory on this point goes back at least as far as 1840. I can distinctly

remember the Hunterfly road being fenced on both sides, including this farm, then owned by John H. Lott. I am now seventy-seven years of age.

The fences above mentioned were always maintained in good substantial condition and the land included therein was inclosed the same as the rest of the farm until Paca (now Rockaway) avenue was cut through. As this part of the farm was marshy and could not be cultivated, the fences were not cared for after that time. They remained standing, however, for many years thereafter until they were stolen for firewood.

This strip was always claimed to be part of the Ryerson farm and was known generally as such. This was the only portion of the farm lying in what was then known as the Town of New Lots. When the county map was made, Mr. Ryerson was assessed about \$22 on that piece of property for making the Commissioners' map of the Town of New Lots, which he paid. I have seen the receipt for this assessment.

No claim has ever been made to this portion of the farm in question to my knowledge adverse to our claim of title.

MARIA RYERSON.

Sworn to before me this 28th day of April, 1904.
ROBERT A. FORDHAM, Commissioner of Deeds, City of New York.

County of Kings, City of New York, ss.

E. V. Brand, being duly sworn, says that he resides in Richmond Hill, Kings County, New York; that he had occasion frequently to drive through the Hunterfly road as far south as New Lots road, and did so many times each year; he remembers the condition of said road as far back as twenty-five years ago, and recalls distinctly that all the fences were maintained in good order in each side of said road. These fences remained standing until about eight or nine years ago, when they began to disappear. All the fences in this neighborhood seemed to be carefully maintained by the farmers.

E. V. BRAND.

Sworn to before me this 4th day of May, 1904.
EMMA AUKAM,
Commissioner of Deeds for The City of New York,
residing in the Borough of Brooklyn.

JUNE 7, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Abram Springsteen, in a verified petition under date of May 29, 1904, addressed to the Commissioners of the Sinking Fund, requests a release of the City's interest in all that portion of the Old Hunterfly road lying east of the property owned by him, described in the petition and laid out on the map hereto annexed, said lots being No. 8, in Block 197; No. 2, in Block 199; No. 3, in Block 200; No. 3, in Block 224, on the Tax and Assessment Map of the Twenty-sixth Ward, Borough of Brooklyn, and also a strip of land lying between the patent line, between New Lots and Flatlands, and the Hunterfly road running northerly from New Lots road, was never set off in severalty by the Town of Flatbush of the Town of New Lands, and remained as part of the common lands of said town.

"By a deed recorded in 1849, John H. Lott became seized from James T. Van Buren of property, of which the premises marked A on the annexed diagram formed a part. Henry Lott and John R. Lott, sons of John H. Lott, partitioned and divided the farm, and the plot marked A on the annexed map was conveyed in severalty to John R. Lott. The easterly boundary of this farm, according to the deed, was the patent line between Flatlands and Flatbush (New Lots). This farm was afterwards sold to Richard Remsen, and by Richard Remsen to John Ryerson. The northerly and southerly fences of the easterly neck of said farm were built on the lines of said farm, and in continuation thereof to the westerly side of the Hunterfly road, and a fence was built along the westerly side of said road so as to include within the boundaries of said farm the plot marked B on the annexed map," which is the property between the old patent line and the westerly boundary line of the Hunterfly road.

He further states that "this plot has been from the earliest recollection of the old inhabitants, inclosed by a substantial post and rail fence as part of the farm shown as A on the said map. He claims adverse possession as to B, extending from the period antedating 1840, until after the opening of Rockaway avenue, about 1870, and that the fence remained standing for many years thereafter."

As to the portion of the Old Hunterfly road on which he desires to have a release of the City's interests, the Corporation Counsel has many times rendered an opinion in like applications, and has, in each case, certified that the City's interest was merely nominal and a cloud upon the title of a private owner, but the question of the release of the City's interests in the property lying between the old patent line and the westerly side of the Hunterfly road is another matter entirely, and whether he can maintain his ownership by adverse possession is a matter that should be presented to the Corporation Counsel for his opinion as to whether the interest of the City in the property between the patent line and the westerly side of the Old Hunterfly road is material or merely nominal and a cloud upon the title of a private owner. If he shall certify that the interest of the City is material, then the question of the value of the strip and the amount of money that Mr. Springsteen should pay can be arranged by the Commissioners of the Sinking Fund. If he decides that the interest of the City is merely nominal in this land, and shall so certify, I would recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing a release of the City's interest in all that portion of the property adjoining the property now owned by Mr. Springsteen and described in said petition, for the nominal sum of \$1 for each and every lot in block, as shown on the map, and that the expense of such release, examination, etc., be fixed at \$100 for each block released, the City reserving to itself all of the property lying within Thatford avenue, Newport avenue and Lott avenue, as shown on the Tax and Assessment Map.

I would also further recommend that if he shall certify that the interest of the City to the said Hunterfly road is merely nominal and a cloud upon the title of a private owner, that the Commissioners of the Sinking Fund adopt a resolution releasing the City's right, title and interest to the westerly half portion of the Old Hunterfly road adjoining the above-described property, except so much as may lie within Thatford avenue, Newport avenue and Osborn street, as shown on said Tax and Assessment Map, for the sum of \$1 for each block so released, and that the expense of such release, examination, etc., be fixed at \$100 for each block released.

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

NEW YORK, July 21, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—I have received your communication of June 7, 1904, transmitting an application made by Abram Springsteen for a release of the City's interest in a portion of the Old Hunterfly road, in the Borough of Brooklyn, and also for a release of the City's interest in a strip of land lying between the patent line, dividing the former towns of New Lots and Flatlands, and the Hunterfly road, and I am asked to advise you whether the interest of the City as to these two strips of land is material, or simply nominal and a mere cloud upon the title of a private owner.

The land lying between the patent line and the Hunterfly road was a part of the common lands of the former Town of New Lots. It is not claimed that the strip of land in question was acquired by any conveyance from the town authorities, nor in the manner provided by law for the alienation of the common lands of a town. It does not appear that any consideration was paid. It is claimed, however, that this strip has been fenced in and occupied by the petitioner and by his predecessors in title for a sufficient length of time to acquire title thereto by adverse possession against the town and against its successors, the city of Brooklyn and The City of New York. I see no reason why the City should now be asked to strengthen or make good for a nominal consideration a title to lands claimed to have been acquired in the manner indicated, and I would therefore advise that the application of the petition, so far as it relates to this strip of land, be denied.

As to that part of the petition which asks for a release of such portions of the Hunterfly road as are contained in the property of the petitioner, I would say that this application is precisely similar to many others which have been passed upon by the Corporation Counsel, and concerning which he has certified that the interest of the City therein is merely nominal and a cloud upon the title of the private owner. I so certify in relation to that portion of the Old Hunterfly road as is included in the property of the petitioner, as set forth in his petition, excepting, however, any portion of such Hunterfly road as may be included in any street, avenue or highway of The City of New York, whether the same has been actually acquired for street purposes, or merely placed upon the map of the City as a street to be opened at some future time.

If the Commissioners of the Sinking Fund decide to grant the petition to this extent, I would respectfully suggest that the request for the preparation by me of the deeds be accompanied with a description by metes and bounds of the property to be affected.

Respectfully yours,
JOHN J. DELANY, Corporation Counsel.

AUGUST 23, 1904.

Mr. CHAS. S. TABER, No. 189 Montague Street, Brooklyn, N. Y.:

DEAR SIR—In the matter of the application of Abram Springstein for a release of the City's interest in a portion of the Old Hunterfly road, in the Borough of Brooklyn, also a release of the City's interest in a strip of land lying between the patent line, dividing the former Towns of New Lots and Flatlands and the Hunterfly road, I desire to say that the Corporation Counsel, in his opinion, states that he sees no reason why the City should not release its interest in the old road lying within the area of the blocks described in the petition, but he does not hold with the petitioner that adverse possession is against the City in the matter of the property between the patent line and the old road.

I therefore desire to inform you that the City will not release any portion of the property lying between the old patent line and the Hunterfly road, except for a valuable consideration, but that the City will release to your petitioner any portion of the old road adjacent to lands owned by him, but not included in the property between the patent line and the old road, for the nominal consideration of \$101 per block. The City will not release to him any interest in the old road lying in the streets or avenues where opened on the map, or projected.

Kindly let me know your intentions in the matter. An early reply will greatly oblige,

Yours truly,
(Signed) EDWARD M. GROUT, Comptroller.

BOROUGH OF BROOKLYN, NEW YORK CITY, August 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—I beg to acknowledge receipt of your letter of the 23d inst., in which you state that the Corporation Counsel has advised you that The City of New York cannot recognize the adverse possession of Abram Springstein, and cannot advise the release of the apparent title of The City of New York in that portion of the property described in the petition, lying between the Hunterfly road and the patent line, except for a "valuable consideration."

I am happy to have been able to wait four months for the privilege of having my legal knowledge increased by the astounding proposition that a clear and undisputed adverse possession of more than sixty years, cannot operate to extinguish the apparent title of The City of New York, and that said City still claims a valuable interest in property upon which it has levied taxes and assessments for many years.

If the City is willing to release this portion of the property in question for a consideration approximately equal to the taxes and assessments now remaining unpaid thereon and an offer to that effect is made within a week, the offer will be favorably considered, otherwise I shall immediately commence an action to determine the claim of The City of New York, not only to the property above described, but also in and to one-half of the Hunterfly road adjoining.

Respectfully,
CHARLES S. TABER.

Filed.

The following petition was received from the Lebanon Hospital Association for a cancellation of certain assessments affecting property belonging to said association in the Borough of The Bronx:

To the Honorable, the Commissioners of the Sinking Fund of The City of New York:

The undersigned, the Lebanon Hospital Association of New York, respectfully shows: That it was incorporated on July 17, 1890, pursuant to chapter 95 of the Laws of 1890, entitled "An act to authorize the formation of corporations for the establishment and maintenance of hospitals, infirmaries, dispensaries and homes for individuals or aged and indigent persons."

That by several deeds, one thereof bearing date the 20th day of December, 1890, and recorded in the office of the Register of the County of New York on the 31st day of December, 1890, your petitioner, said Lebanon Hospital Association, acquired from the Ursuline Convent at Morrisania, title to a plot of land situate in the Borough of The Bronx, City and County of New York, on the northerly side of Westchester avenue, between Caldwell and Trinity avenues; said premises comprise the whole frontage on the northerly side of Westchester avenue, between Caldwell and Trinity avenues, and extend in depth on Caldwell avenue 430.94 feet and 357.98 feet on Trinity avenue, and said premises are now known as Lot No. 1 in Block 2628 on the Tax Map of the Borough of The Bronx. That on or about the same time your petitioner also acquired title from the said Ursuline Convent to two lots situate on the northwest corner of Caldwell and Westchester avenues, in said Borough of The Bronx, City of New York, and now known as Lots Nos. 86 and 87 in Block 2624 on the Tax Map of the said Borough of The Bronx.

That said premises, prior to the time your petitioner became the owner thereof, were owned by the Ursuline Convent, a religious, educational institution, which had erected buildings on said premises and to the best knowledge and information of your petitioner said Ursuline Convent was exempt from taxation by law.

That your petitioner, after becoming the owner of said premises, altered the buildings thereon and expended large sums of money in improving the same so as to make the same suitable for the purposes of a hospital. That the work of making the said alterations was immediately begun, and since the same were completed and for upwards of eleven years your petitioner has conducted upon said premises a hospital open to all creeds, where poor persons are treated free in both medical and surgical cases.

That the said hospital is situated in a continually growing section of the City, and very large demands are made upon the said hospital by persons for treatment; that the number of cases treated in the hospital in the year 1903 was upwards of 2,100 hospital cases, and the number of persons treated in the dispensary during the same period was upwards of 15,000. That in addition the hospital maintains ambulances service for the carrying of persons who meet with accidents in the public streets, and in the recent great calamity which befell the people of this City in the burning of the "General Slocum," more than ninety persons were taken in the ambulances of the said hospital from the scene of the disaster to the said hospital, and treated.

That the work of the hospital is necessarily limited, owing to the fact that it is mainly supported by private subscription, and up to the present time has not been fortunate enough to receive any large endowment.

That The City of New York has imposed upon the lands of your petitioner, at present known as Lot No. 1 in Block 2628, the following assessments:

An assessment for Westchester avenue basins at northeast and northwest corners of Caldwell avenue, confirmed December 9, 1895, amounting in all to	\$420 18
An assessment for Caldwell avenue sewer from existing sewer, Westchester avenue to Summit north, confirmed June 13, 1899, amounting in all to	2,224 01
An assessment for Park street opening, from East One Hundred and Forty-ninth street to Westchester avenue, confirmed on the 3d day of August, 1900, amounting in all to	803 85
An assessment for Caldwell avenue regulating, from Boston road to Westchester avenue, confirmed December 28, 1900	2,752 80
An assessment for Trinity avenue sewer, Westchester avenue to East One Hundred and Sixtieth street, confirmed January 8, 1851	1,857 77
An assessment for Trinity avenue regulating, grading, etc., Westchester avenue to East One Hundred and Sixty-first street, confirmed May 28, 1901	3,360 98
An assessment for Trinity avenue opening, from Dater street to Westchester avenue, confirmed June 24, 1901, amounting to	1,203 78

That the following assessments have been imposed on the premises at present known as Lots Nos. 86-87, in Block 2624:

An assessment for Park street opening, from East One Hundred and Forty-ninth street to Westchester avenue	\$71 28
An assessment for Caldwell avenue regulating and grading, from Boston road to Westchester avenue, confirmed December 28, 1900	274 44
An assessment for Trinity avenue opening, from Dater street to Westchester avenue	30 93

That your petitioner has no means with which to pay the said assessments, as all the income of your petitioner is required for the support and maintenance of the hospital, and in fact the income derived from dues and subscriptions is insufficient to meet the current expenses.

That the property of your petitioner, known as Lot No. 1, in Block 2628, is encumbered by two mortgages, one held by the Emigrant Industrial Savings Bank for \$42,500, and another mortgage on which is unpaid \$10,000. That the Emigrant Industrial Savings Bank has repeatedly threatened to foreclose this mortgage unless said assessments are paid, and only through great efforts and personal sacrifices of the President of your petitioner has said bank agreed to suspend the commencement of a suit to foreclose said mortgage until July of this year, and unless said assessments are canceled your petitioner will lose said premises and be compelled to cease its beneficent work.

That by chapter 482 of the Laws of 1904, entitled "An act to authorize the Commissioners of the Sinking Fund of The City of New York to cancel and annul certain assessments and sales in The City of New York for assessments affecting property in The City of New York, and directing the Comptroller to mark said assessments accordingly," which became a law on April 28, 1904, after acceptance of the said act by The City of New York and the approval of the Governor, your Honorable Body, the Commissioners of the Sinking Fund, were authorized and empowered in their discretion to cancel and annul any and all assessments affecting the property of your petitioner situate in the Borough of The Bronx, City of New York.

Your petitioner therefore prays that in view of the facts set forth in the foregoing petition, that your Honorable Body will exercise its discretion in favor of an institution which is performing to a large extent a great public service in a growing community, and the denial of which petition would result in a foreclosure of the mortgage and the destruction of the work of the hospital.

Your petitioner will ever pray.
Dated New York, July 11, 1904.
In presence of:

LEBANON HOSPITAL,
By JONAS WEIL, President.

[SEAL.]
LEO. HUTTER, Treasurer.

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

Jonas Weil, being duly sworn, deposes and says that he is the President of the Lebanon Hospital Association of The City of New York, the corporation described in the foregoing petition. That the said petition is true to 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.

[SEAL.] JACOB BROWN, Notary Public 243, New York County.

In connection therewith the Comptroller presented the following report:

SEPTEMBER 20, 1904.

JAMES F. MCKINNEY, Esq., Auditor of Accounts:

SIR—In the matter of the application of the Lebanon Hospital Association of The City of New York, dated July 11, 1904, addressed to the Commissioners of the Sinking Fund of The City of New York, pursuant to chapter 482 of the Laws of 1904, for the cancellation of certain assessments for public improvements affecting the property of said hospital situated in the Borough of The Bronx, and known as Lot No. 1 in Block 2628, and Lots Nos. 86 and 87, in Block 2624 of section 10, I beg leave to report as follows:

The verified petition shows that the applicant is an incorporated body existing under the laws of this State; that since December 20, 1890, it has been, and still is, the owner of the premises in question; that the petitioner has maintained on said premises since 1891, and still maintains thereon, a hospital open to all creeds where poor persons are treated free in both medical and surgical cases; that the said hospital is situated in a continually growing section of the City, and very large demands are made upon the same by persons for treatment; that the number of cases treated in the hospital in the year 1903 was upwards of 2,100, and the number of persons treated in the dispensary during the same period was upwards of 15,000; that in addition the hospital maintains an ambulance service for the carrying of persons who meet with accidents in the public streets, and in the recent great calamity which befell the people of this City in the burning of the "General Slocum" more than ninety persons were taken in the ambulances from the scene of the disaster to the said hospital and treated; that said hospital is mainly supported by private subscription, and up to the present time has not been fortunate enough to receive any large endowment; that The City of New York has imposed upon the lands of said hospital certain assessments for public improvements which are enumerated in said petition, and bills therefor are attached to this report; that said assessments amount to over \$13,000 without interest; that the hospital has no means with which to pay said assessments, as all of its income is required for the support and maintenance of the hospital; that the property in question is encumbered by two mortgages amounting to \$52,500; that the Emigrant Industrial Savings Bank has repeatedly threatened to foreclose these mortgages unless the said assessments are paid; that by the act of the Legislature known as chapter 482 of the Laws of 1904, the Commissioners of the Sinking Fund of The City of New York were authorized and empowered in their discretion to cancel and annul any and all assessments affecting property of the Lebanon Hospital Association situated in the Borough of The Bronx.

As this application, therefore, is one addressed to the Commissioners of the Sinking Fund for such action as in their discretion may be taken pursuant to said act as aforesaid, the same should be referred to them for action.

Respectfully,
CHAS. S. WITHINGTON, Law Clerk.

Approved:
JAMES F. MCKINNEY, Chief of Division.

Approved:
N. TAYLOR PHILLIPS, Deputy and Acting Comptroller.

Discussion followed, whereupon the Comptroller offered the following resolution: Resolved, That, pursuant to the provisions of chapter 482 of the Laws of 1904, the Commissioners of the Sinking Fund hereby approve of the cancellation of any and all assessments and sales to The City of New York, for assessments or any of them affecting property situate in the Borough of The Bronx, in The City of New York, now belonging to the Lebanon Hospital Association of The City of New York, known and described on the official tax map of the Borough of The Bronx as Lot No. 1 in Block 2628 and Lots Nos. 86 and 87 in Block 2624, and the Comptroller of The City of New York is hereby directed to cancel such assessments and sales for assessments upon the proper assessment books of The City of New York accordingly. Which was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution, relative to fines payable to the New York Society for the Prevention of Cruelty to Children, Brooklyn Society for the Prevention of Cruelty to Children, American Society for the Prevention of Cruelty to Animals, Dental Society of the State of New York:

SEPTEMBER 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The following fines imposed by the Court of Special Sessions, First and Second Divisions, have been collected at dates stated, July and August, 1904, and are payable pursuant to law, to the several societies named:

To New York Society for the Prevention of Cruelty to Children (section 5, chapter 122, Laws of 1876)—

Court of Special Sessions, First Division:		
July 12. Frank M. Carter.....	\$50 00	
July 14. Philip Goldberg.....	50 00	
July 28. Louis Zabor.....	10 00	\$110 00
August 4. Herman Rausch.....		\$25 00
August 9. George Grasser.....	50 00	
August 18. Henry Hirsch.....	15 00	
August 18. Samuel Schnitzer.....	35 00	
August 23. Adolph M. Spatz.....	25 00	
August 30. Michael Balletto.....	25 00	
August 30. Sanford Salky.....	25 00	
August 11. Joseph Donnelly (Paid Warden, City Prison).....	25 00	225 00
Total		\$335 00

To Brooklyn Society for the Prevention of Cruelty to Children (section 5, chapter 122, Laws of 1876)—

Court of Special Sessions, Second Division:		
June 1. Gerardo Vernando (Brooklyn).....		\$10 00

To American Society for the Prevention of Cruelty to Animals (section 6, chapter 420, Laws of 1886)—

Court of Special Sessions, First Division:		
July 22. Jacob Sholowsky.....		\$25 00
Court of Special Sessions, Second Division:		
July 1. Frank McNeil (Brooklyn).....	\$10 00	
July 1. James McCallan (Brooklyn).....	10 00	
July 8. Tony Presci (Brooklyn).....	10 00	
July 22. Morris Charniowitz (Brooklyn).....	25 00	
July 22. Dominick Siene (Brooklyn).....	10 00	
July 22. Aicola Carispo (Brooklyn).....	50 00	
July 12. Millroe Bivilot (Queens).....	30 00	
July 28. Michael Brandafine (Richmond).....	10 00	\$155 00
August 11. James Walsh (Richmond).....		10 00
Total		\$190 00

To Dental Society of the State of New York (section 169, chapter 215, Laws of 1902)—

Court of Special Sessions, First Division:		
July 14. Forrest Bolieu.....	\$50 00	
July 14. Alfred Verdon.....	50 00	\$100 00
Court of Special Sessions, Second Division:		
August 8. Allen H. Smith (Brooklyn).....		50 00
Total		\$150 00

All the above cases were prosecuted by the officers of the several societies to which fines are payable. The amount collected has been deposited to the credit of the Sinking Fund for the Payment of the Interest on the City Debt.

Respectfully,
I. S. BARRETT, Bookkeeper.

Resolved, That warrants payable from the Sinking Fund for the Payment of the Interest on the City Debt, be drawn in favor of the following societies, etc., being the amount of fines imposed and collected by the Court of Special Sessions, First and Second Divisions, in the months of July and August, and payable to said societies, pursuant to law, viz.:

New York Society for the Prevention of Cruelty to Children.....	\$335 00
Brooklyn Society for the Prevention of Cruelty to Children.....	10 00
American Society for the Prevention of Cruelty to Animals.....	190 00
Dental Society of the State of New York.....	150 00

Which resolution was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution relative to the refunding of amounts overpaid for street vault permits:

SEPTEMBER 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The following applications for the refund amounts overpaid for street vault permits are respectfully submitted, viz.:

Applicant.	Location.	Overpaid.
Century Realty Company.....	Junction of Pearl and Beaver streets (south)	\$113 74
O. L. Cushman.....	Southeast corner Fourth avenue and Twenty-seventh street.....	61 32
Total		\$175 06

To each application is attached the affidavit of the owner and the certificate of a City Surveyor, and the refunds are recommended by the Superintendent of Highways, approved by the Commissioner of Public Works and the President of the Borough of Manhattan.

The amount paid was deposited to the credit of the Sinking Fund for the Redemption of the City Debt, No. 1.

Respectfully,
I. S. BARRETT, Bookkeeper.

Resolved, That warrants payable from the Sinking Fund for the Redemption of the City Debt, No. 1, be drawn in favor of the following persons, refunding them the amount overpaid by them severally for permits to build street vaults in front of premises as per statement submitted, viz.:

Century Realty Company.....	\$113 74
O. L. Cushman.....	61 32

Which resolution was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution, relative to a refund to James R. Jacoby of amount of fine for speeding an automobile:

SEPTEMBER 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—In the Fourth District Magistrate's Court, First Division, on April 24, 1904, James R. Jacoby was convicted and fined twenty-five dollars for fast driving an automobile. The case was appealed and by order of Court of General Sessions entered June 27, 1904, the judgment of the lower court was reversed and the fine which had been paid

under protest was remitted and the Comptroller was directed to pay to the said James R. Jacoby the said sum of twenty-five dollars.

The above fine paid in court was deposited to credit of the Sinking Fund for the payment of the interest on the City debt.

Respectfully,
I. S. BARRETT, Bookkeeper.

Resolved, That a warrant payable from the Sinking Fund for the payment of the interest on the City debt be drawn in favor of James R. Jacoby for the sum of twenty-five dollars (\$25), being amount of fine imposed upon and collected from him in the Fourth District Magistrate's Court of The City of New York, First Division, the 24th day of April, 1904, remitted by order of the Court of General Sessions entered on the 27th day of June, 1904.

Which resolution was unanimously adopted.

The following communication was received from the Sheriff of the County of New York, relative to a renewal of the lease of offices in the Stewart Building:

NEW YORK, September 26, 1904.

Honorable Commissioners of the Sinking Fund, New York City:

GENTLEMEN—Mr. Edward D. Harris, the executor of the estate of Henry Hilton, has called my attention several times to the fact that the rent for the offices occupied by the Sheriff has not been paid since the 1st of May of this year, and that nothing has been done in respect of the renewal of the lease.

In considering a renewal of the lease, I desire to call your attention to the additional fact that it has been rumored that the Surrogates' Court expects to give up its present quarters in the Court-house Building, and remove into the new Hall of Records Building within a very short time. The Surrogates' present offices are in the space formerly occupied by the Sheriff, and it is quite probable that the Commissioners of the Sinking Fund will direct the Sheriff to go back again into the Court-house. In any event, I hope to bring the matter to the attention of the Commissioners as soon as some definite information is obtained from the Justices of the Surrogates' Court.

Meantime, it is important for you to consider whether the lease should be made for any length of time for our present offices.

Faithfully yours,
MITCHELL L. ERLANGER.

Inasmuch as the Sheriff is a hold-over tenant for the rooms occupied by him for a period of one year from May 1, 1904, I cannot see how I can recommend any other course than that the Commissioners of the Sinking Fund adopt a resolution authorizing a lease of the premises for a period of one year from May 1, 1904, upon the same terms and conditions as contained in the present existing lease.

MORTIMER J. BROWN,
Appraiser of Real Estate in Charge of Bureau.

In connection therewith, the Comptroller offered the following resolution:

Resolved, That the Comptroller be and is hereby authorized and directed to execute a renewal of the lease to the City of Rooms Nos. 69, 71, 73, 75, 77, 79 and 80, in the Stewart Building, No. 280 Broadway, Borough of Manhattan, occupied by the Sheriff of the County of New York, for a term of one year from May 1, 1904, at an annual rental of nine thousand six hundred dollars (\$9,600), and upon the same terms and conditions as contained in the existing lease; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

Which was unanimously adopted.

The Comptroller presented the following statement and offered the following resolution, relative to the refunding of Croton water rents paid in error:

SEPTEMBER 27, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—Applications have been made, as per statement herewith, for the refund of Croton water rents paid in error.

The applications are severally approved by the Commissioner of Water Supply, Gas and Electricity or the Receiver of Taxes, and the amount so paid, two hundred and three and sixty-four one-hundredths dollars (\$203.64) has been deposited to the credit of the Sinking Fund for the Payment of the Interest on the City Debt.

Respectfully,
I. S. BARRETT, Bookkeeper.

Water Register.

Philip Meirowitz	\$60 00
Ronald H. Macdonald & Co., Agents.....	19 89
Richard Dickson, Agent	42 00
George A. Martin, Secretary, The Railroad Co-operative Building and Loan Association	7 00
	\$128 89

Receiver of Taxes.

Robert H. E. Elliott	74 75
	\$203 64

Resolved, That a warrant, payable from the Sinking Fund for the Payment of the Interest on the City Debt, be drawn in favor of the Chamberlain, for the sum of two hundred and three and sixty-four one-hundredths dollars (\$203.64), for deposit in the City Treasury to the credit of "Croton Water Rent Refunding Account," for refunding erroneous and overpayments of Croton water rents, as per statement submitted herewith.

Which resolution was unanimously adopted.

The Comptroller presented the following statement, and offered the following resolution relative to a refund to John Gibb, of assessment for Prospect Park improvement, paid in error:

SEPTEMBER 26, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—On January 29, 1902, John Gibb overpaid the following assessment installment for Prospect Park improvement, viz.:

Installment 1902, Ward Nine, Block 114, Lots Nos. 1, 2, 3, 43; amount, \$67.05; interest, \$0.75; total, \$67.80.

The amount so overpaid was deposited in the Sinking Fund of the City of Brooklyn; the refund will be made through account "Refunding Assessments Paid in Error, Borough of Brooklyn."

The resolution herewith is necessary to reimburse this account for amount of assessment and interest so to be refunded.

Respectfully,
I. S. BARRETT, Bookkeeper.

Resolved, That a warrant payable from the Sinking Fund, City of Brooklyn, be drawn in favor of the Chamberlain, for the sum of sixty-seven dollars and eighty cents (\$67.80), to be deposited in the City Treasury to the credit of "Refunding Assessments

Paid in Error, Borough of Brooklyn," to refund John Gibb, through this account, this amount of assessment and interest for Prospect Park improvement, overpaid in error. Which resolution was unanimously adopted.

The following communication was received from the Department of Street Cleaning, relative to a lease of premises, Nos. 42-46 Hamilton street, Borough of Manhattan:

NEW YORK, September 26, 1904.

Hon. GEORGE B. McCLELLAN, Mayor, Chairman, Board of Sinking Fund Commissioners:

SIR—On the 27th of October, 1903, I wrote to and requested authority from the Sinking Fund Commissioners to enter into a new lease with Mr. Philip Collins for a stable owned by him at Nos. 42-46 Hamilton street, now occupied by this Department, and which, under the terms of the new lease, were to be enlarged, added to, altered, etc., and the lease was to be for a period of five years, at a rental of \$7,000, and the new lease was to be a substitute for the two existing leases now in force, one for a stable and one for a yard, now in possession of this Department.

There was no action taken on this request, and as our requirements for additional stable facilities in that neighborhood have become imperative, I again communicated with Mr. Collins on this subject, and he has agreed to enter into a new lease, make the alterations, additions, etc., etc., at a new rental of \$7,000 per annum, but for a period of ten (10) years instead of five (5), and as we shall need these added facilities in the very near future, it is earnestly requested that as early action as possible may be taken in this matter.

I beg to direct attention to the fact that on August 27, 1904, I communicated with you on this matter, inviting attention to the letter of October 27, 1903.

Respectfully,

JOHN McG. WOODBURY, Commissioner.

In connection therewith the Comptroller presented the following report, and offered the following resolution:

SEPTEMBER 27, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—At a meeting of the Commissioners of the Sinking Fund, held April 11, 1895, a resolution was adopted authorizing a lease of premises Nos. 44 and 46 Hamilton street, Borough of Manhattan, for a term not longer than nine years and six months, at an annual rental of \$5,100, Philip Collins, lessor, for the use of the Department of Street Cleaning. The land leased was about 75 feet front by 173 feet deep, and Mr. Collins, the lessor thereof, was to erect a new stable 40 feet wide by 173 feet deep, leaving a yard 35 feet by 96 feet, containing a blacksmith shop. This lease will expire March 1, 1905.

At a meeting of the Commissioners of the Sinking Fund, held December 28, 1899, a resolution was adopted authorizing a lease of the premises Nos 42 and 42½ Hamilton street, Borough of Manhattan, for a period of five years from the date of occupation, at an annual rental of \$900, for the use of the Department of Street Cleaning. The combined properties were known as Stable "G," Department of Street Cleaning. This lease expires on March 1, 1905.

The Commissioner of the Department of Street Cleaning, in a communication under date of October 27, 1903, requests the approval of the Commissioners of the Sinking Fund to the cancellation of the two leases above quoted, expiring March 1, 1905, and permission to execute a lease in lieu and instead thereof, of the premises Nos. 42 to 46 Hamilton street, Borough of Manhattan, for a term of five years, at an annual rental of \$7,000, payable quarterly.

It is the intention of Philip Collins, the lessor of the present property, to erect a building 35 feet by 95 feet near the vacant yard of the property embraced in the lease which was made in 1899. The new building will be adjoining the present stable, and will give stable room for 37 additional horses in the second story. The runway for the horses located in the present building is to be removed and a new runway for the accommodation of both the old and the new stable is to be built in the yard, so that the horses may go direct to the stable when unhitched from the carts. It is the intention that the first, or street floor, shall be the yard or driveway for carts entering from the street. The second story will be the stable-room for horses, and, from the plans submitted, it is the intention to carry the weight of the second story by 5 24-inch high beams, thus giving clear yard space.

All that has been submitted to this office in order to form an estimate as to the construction and probable cost of the building is a blue-print and a skeleton specification. As I understand it, the building is to be especially constructed for the Department of Street Cleaning, the specifications and plans drawn to be submitted by the owner. The rent is not to commence until the building is completed and the Department of Street Cleaning in possession. Upon the completion of the building, the additional expense to the City in the way of rent will be \$1,000. The architect informs me that the cost of the construction of the new building, including the removal of the old runway from the old building, will be in the vicinity of \$10,000.

I have had the property known as Stable G, now used by the Street Cleaning Department, examined, and have examined the plans and specifications for the addition to be made by the owner, and am of the opinion that the rental asked, \$7,000, is, under the circumstances, reasonable and just, and that the Commissioners of the Sinking Fund may properly authorize the Department of Street Cleaning, subject to the approval of the Comptroller, to execute a lease of the premises for a term of ten years from the date of occupation of the new building, upon the surrender and cancellation of the present existing lease, at an annual rental of \$7,000, payable quarterly, the lessor to pay all taxes and assessments, to make all such repairs to the roof, or other repairs as may be deemed necessary by the Commissioner, the City to pay for the Croton water used on the premises, and to make the necessary inside repairs. I would further respectfully recommend that the owner of the premises be requested to file a copy of the plans and specifications with the Engineer of the Department of Finance, and before the lease is entered into by the Department of Street Cleaning, the Engineer of the Department of Finance inspect the building and make a report thereon to the Comptroller as to whether the building is constructed in accordance with said plans and specifications, for the needs and requirements of the Department of Street Cleaning.

The owner of the premises has signed an option that if at any time The City of New York acquired the property for park purposes, in that event he will permit the City to quit and surrender its lease irrespective of the time the lease is to run. This option was brought about by the fact that there was at one time a proposition to acquire the entire block for park purposes.

The owner of the premises will have to make a number of repairs to the walls of the present building, for an examination shows that unless repairs are made, the building, in its present state, may be considered in an unsafe condition.

Respectfully submitted for approval.

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Whereas, The City is in possession of the premises extending from Nos. 42 to 46 Hamilton street, in the Borough of Manhattan, under two leases, both of which expire on March 1, 1905; and

Whereas, The owner, Phillip Collins, proposes to make certain improvements, consisting of the erection of a new building 35 by 95 feet, and the connection of the new building with the old building by a runway, of the asphalting of the present yard in accordance with plans and specifications submitted, and proposes the surrender of the two existing leases and to substitute therefor a new lease covering all the said premises, at a rental of seven thousand dollars (\$7,000) per annum; therefore be it

Resolved, That upon the surrender and cancellation of the existing leases, the Commissioners of the Sinking Fund hereby approve of and consent to the execution, by the Commissioner of Street Cleaning, of a lease to the City from Philip Collins, of premises Nos. 42, 42½, 44 and 46 Hamilton street, in the Borough of Manhattan, being the premises now under lease to The City of New York, and the building to be built in addition thereto, for a term of ten years from the date of occupation of the new building, at an annual rental of seven thousand dollars (\$7,000), payable quarterly; the lessor to pay all taxes and assessments and to make all such repairs to the roof or other repairs as may

be deemed necessary by the Commissioner of Street Cleaning; the City to pay for Croton water used on the premises and to make the necessary inside repairs. Before the lease is entered into by the Commissioner of Street Cleaning, the owner is to file a copy of the plans and specifications with the Engineer of the Department of Finance, and the Engineer of the Department of Finance to make an inspection of the building when completed and to report thereon as to whether it is constructed in accordance with such plans and for the needs and requirements of the Department of Street Cleaning; the Commissioners of the Sinking Fund deeming the said rent fair and reasonable and that it would be for the interests of the City that such lease be made.

The report was accepted and the resolution unanimously adopted.

The Comptroller presented the following report and offered the following resolution relative to the assignment to the Chelsea Realty Company of the lease upon property No. 28 Beaver street:

SEPTEMBER 27, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Commissioners of the Sinking Fund recently authorized the sale at public auction of the premises heretofore owned by the City, known as No. 28 Beaver street, in the Borough of Manhattan. Said property was purchased by the Chelsea Realty Company, who paid the amount bid, and they received the deed therefor. They now request that the City assign to them the lease upon said premises between The City of New York and William H. Aspinwall, John A. Aspinwall and Ambrose C. Kingsland, as executors of William H. Aspinwall, deceased, said lease being recorded in the Comptroller's office in book of special leases at page 442.

I would respectfully recommend that the Commissioners of the Sinking Fund adopt a resolution authorizing the Comptroller to assign said lease to the Chelsea Realty Company.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Commissioners of the Sinking Fund hereby authorize and direct the Comptroller to assign to the Chelsea Realty Company, the purchasers of the property known as No. 28 Beaver street, Borough of Manhattan, the lease upon said premises between The City of New York and William H. Aspinwall, John A. Aspinwall and Ambrose C. Kingsland, as executors of William H. Aspinwall, deceased, said lease being recorded in the Comptroller's office in book of special leases, at page 442.

The report was accepted and the resolution unanimously adopted.

The following report and resolution were received from the Board of Education turning over to the Commissioners of the Sinking Fund the leased premises, No. 799 Vernon avenue and premises at Hancock street and Webster avenue, Borough of Queens:

Mr. Adams presented the following:

To the Executive Committee:

The Committee on Buildings respectfully reports that the City Superintendent states that, owing to the completion of Public School 83, Borough of Queens, the rented premises at Hancock street and Webster avenue, occupied as Public School 77, and at No. 799 Vernon avenue, occupied as an annex thereto, will not be required further for school purposes. The lease of the former premises will expire on February 1, 1906, and the owner, Herman Miller, No. 226 East Sixty-first street, City, consents to the cancellation of the same as of May 1, 1905, in consideration of being given possession on or before October 1, 1904. The lease of the Vernon avenue premises will expire on March 1, 1905, but the lessor, William Nelson, No. 13 Chambers street, City, refuses to make any concessions. The matter was taken up with the Comptroller and the conclusion has been reached that it would be advisable to turn over both premises to the Commissioners of the Sinking Fund with a recommendation that the agreement above stated relative to the premises at Webster avenue and Hancock street be carried out.

The following resolution is submitted for adoption:

Resolved, That in view of the facts as hereinbefore stated, the premises at Webster avenue and Hancock street, occupied as Public School 77, Borough of Queens, and the premises at No. 799 Vernon avenue, occupied as an annex thereto, be and they are hereby turned over to the Commissioners of the Sinking Fund until the expiration of the present leases on February 1, 1906, and March 1, 1905, respectively, with the recommendation that the agreement of the owner of the premises at Webster avenue and Hancock street to cancel the lease of the same as of May 1, 1905, in consideration of securing possession of said premises on or before October 1, 1904, be carried out.

A true copy of report and resolution adopted by the Executive Committee of the Board of Education on September 21, 1904.

A. EMERSON PALMER, Secretary, Board of Education.

In connection therewith the Comptroller presented the following report and offered the following resolutions:

SEPTEMBER 27, 1904.

Hon. EDWARD M. GROUT, Comptroller:

SIR—The Board of Education, at a meeting held September 21, 1904, adopted the following resolution:

"Resolved, That * * * the premises at Webster avenue and Hancock street, occupied as Public School 77, Borough of Queens, and the premises at No. 799 Vernon avenue, occupied as an annex thereto, be, and they are hereby, turned over to the Commissioners of the Sinking Fund until the expiration of the present leases on February 1, 1906, and March 1, 1905, respectively, with the recommendation that the agreement of the owner of the premises at Webster avenue and Hancock street, to cancel the lease of the same as of May 1, 1905, in consideration of securing possession of said premises on or before October 1, 1904, be carried out."

In regard to the premises No. 799 Vernon avenue, Borough of Queens, I would respectfully recommend that the Commissioners of the Sinking Fund request the Comptroller to collect such revenue as may be derived therefrom to the expiration of the lease on March 1, 1905.

In regard to the premises at Webster avenue and Hancock street, Borough of Queens, I would respectfully recommend that the Commissioners of the Sinking Fund accept the proposition of the owner to cancel the lease expiring February 1, 1906, by surrendering the property to the owner on October 1, 1904, and the payment of rent to May 1, 1905.

Respectfully submitted for approval,

MORTIMER J. BROWN,

Appraiser of Real Estate in Charge of Bureau.

Approved:

EDWARD M. GROUT, Comptroller.

Resolved, That the Comptroller be and is hereby requested to take charge of the premises No. 799 Vernon avenue, Borough of Queens, leased for the use of the Board of Education until March 1, 1905, and turned over to the Commissioners of the Sinking Fund by said Board, September 21, 1904, and collect such revenue as may be derived therefrom until the expiration of the lease.

Resolved, That the Commissioners of the Sinking Fund hereby accept the proposition of Herman Miller, the owner of premises at Webster avenue and Hancock street, in the Borough of Queens, leased for the use of the Board of Education until February 1, 1906, and turned over to the Commissioners of the Sinking Fund by said Board September 21, 1904, i. e., to cancel the lease by surrendering the property to him on October 1, 1904, and the payment of rent to May 1, 1905.

The report was accepted and the resolutions severally unanimously adopted.

Congressman Goulden appeared before the Board and advocated a change in the location of premises occupied by the Department of Health in the Borough of The Bronx.

There being no application before the Board from the Health Commissioner for a change of location, the Congressman was referred to him in order that the matter might be brought properly before the Board for action, in accordance with the requirements of the Charter.

Adjourned.

JOHN KORB, Jr., Secretary pro tem.

LAW DEPARTMENT.

The following schedules form a brief extract of the transactions of the office of the Corporation Counsel for the week ending September 17, 1904, as required by section 1546 of the Greater New York Charter.

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

SCHEDULE "A."

Suits and Special Proceedings Instituted.

Table with columns: Court, Register and Folio, When Commenced, Title, Nature of Action. Contains legal case entries such as Morton, Levi P., and another, substituted trustees, etc., vs. Myron W. Dow et al.

Table with columns: Court, Register and Folio, When Commenced, Title, Nature of Action. Contains legal case entries such as Burstein, Assik, Cohen, Morris, Cohen, Mary (No. 2), First Brooklyn American R o u m a n i a n C o n g r e g a t i o n.

Court.	Register and Folio.	When Commenced.	Title.	Nature of Action.
Municipal, Brooklyn..	48 346	Sept. 14, 1904	Hart, Lawrence.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 347	Sept. 14, 1904	Keenan, John.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 347	Sept. 14, 1904	Kane, James J.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 347	Sept. 14, 1904	Keegan, Thomas F..	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 348	Sept. 14, 1904	King, James J.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 348	Sept. 14, 1904	Kerrigan, Charles....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 348	Sept. 14, 1904	Kane, John.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 349	Sept. 14, 1904	Lippard, Daniel.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 349	Sept. 14, 1904	Lehan, John.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 349	Sept. 14, 1904	Mollinari, Thomas...	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 350	Sept. 14, 1904	Murphy, James.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 350	Sept. 14, 1904	Mollinari, Vincenzo..	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 350	Sept. 14, 1904	Miller, Henry.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 351	Sept. 14, 1904	McKee, James.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 351	Sept. 14, 1904	Nolan, Frank.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 351	Sept. 14, 1904	O'Rourke, Thomas...	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 352	Sept. 14, 1904	Petro, Alexander....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 352	Sept. 14, 1904	Porter, Walter.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 352	Sept. 14, 1904	Quinn, Frank.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 353	Sept. 14, 1904	Rountree, Thomas...	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 353	Sept. 14, 1904	Ross, John.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 353	Sept. 14, 1904	Reilly, Bernard.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 354	Sept. 14, 1904	Studley, John.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 354	Sept. 14, 1904	Strange, William L..	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 354	Sept. 14, 1904	Smith, Edward.....	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 355	Sept. 14, 1904	Spronzo, Roffaello...	Salary as Driver, Street Cleaning Department, \$250.
Municipal, Brooklyn..	48 355	Sept. 14, 1904	Vogel, Fred.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 356	Sept. 14, 1904	Pike, Max (Matter of)	For cancellation of a mortgage.
Municipal, Brooklyn..	48 357	Sept. 15, 1904	Schwartz, Frederick	Summons only served.
Municipal, Queens....	48 358 } 40 367 }	Sept. 15, 1904	Hook and Ladder Company 1 of Morris Park, Richmond Hill.....	Summons only served.
Supreme..	48 359	Sept. 15, 1904	Baier, George.....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 360	Sept. 15, 1904	Burne, Richard.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 360	Sept. 15, 1904	Colloghan, Francis...	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 360	Sept. 15, 1904	Cullen, Matthew A..	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 361	Sept. 15, 1904	Casly, Toney.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 361	Sept. 15, 1904	Connolly, John.....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 361	Sept. 15, 1904	Desmond, John.....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 362	Sept. 15, 1904	Dunnigan, James....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 362	Sept. 15, 1904	Farren, Patrick.....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 362	Sept. 15, 1904	Flood, John.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 363	Sept. 15, 1904	Guilbrail, James....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 363	Sept. 15, 1904	Hines, John.....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 363	Sept. 15, 1904	Large, Charles.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 364	Sept. 15, 1904	McGorry, John J....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 364	Sept. 15, 1904	McGuire, Joseph....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 364	Sept. 15, 1904	Mackin, Thomas F..	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 365	Sept. 15, 1904	O'Connor, John.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 365	Sept. 15, 1904	Dennen, John H....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 365	Sept. 15, 1904	Peterson, Peter.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme..	48 366	Sept. 15, 1904	Richardson, Joseph..	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 366	Sept. 15, 1904	Slattery, James B....	Salary as Sweeper, Street Cleaning Department, \$250.
Supreme..	48 366	Sept. 15, 1904	York, James.....	Salary as Driver, Street Cleaning Department, \$250.
Supreme, Kings Co..	48 367	Sept. 15, 1904	Van Gelder, Abraham	Damage to property, overflow of sewer, \$575.
U. S. Dist. Supreme, Kings Co..	48 368	Sept. 15, 1904	Kinlen, James E....	Citation only served.
Supreme, Kings Co..	48 369	Sept. 15, 1904	Wood, Sidney P....	Summons only served.
Supreme, Kings Co..	48 370	Sept. 15, 1904	Wood, Harry B....	Summons only served.
Supreme, Kings Co..	48 371	Sept. 16, 1904	Kimball, Ella L., and another, administrators, etc., vs. The City of New York et al.....	To foreclose mortgage on property south side of Moore street, west of Morrell street.
Supreme..	48 372	Sept. 16, 1904	Jackson, Henry H., vs. Gilbert E. Orcutt et al.....	To foreclose mortgage on property northeast corner of Thirtieth street and Lexington avenue.
Supreme..	48 373	Sept. 16, 1904	De Baw, Thomas....	Personal injuries, fall, Criminal Court Building, \$5,000.

Court.	Register and Folio.	When Commenced.	Title.	Nature of Action.
Supreme..	48 374	Sept. 16, 1904	The City of New York (Matter of)..	To acquire title, to lands, etc., Jackson avenue, Home street and Boston road, Bronx, for school purposes.
Supreme..	48 375	Sept. 16, 1904	The City of New York (Matter of)..	To acquire title to lands, etc., Pitt and Rivington streets, Manhattan, for school purposes.
Supreme..	48 376	Sept. 16, 1904	The City of New York (Matter of)..	To acquire title to lands, etc., One Hundred and Fortieth street and One Hundred and Forty-first street, between Alexander and Brook avenues, Bronx, for school purposes.
Supreme..	48 377	Sept. 16, 1904	The City of New York (Matter of)..	To acquire title to lands, etc., Andrews avenue and Burnside avenue, Bronx, for school purposes.
Supreme..	48 378	Sept. 16, 1904	The City of New York (Matter of)..	To acquire title to lands, etc., Forty-first and Forty-second streets, between Second and Third avenues, Manhattan, for school purposes.
Municipal, Manhattan.	48 379	Sept. 16, 1904	Rachefsky, Joseph vs. Thomas F. O'Connor, etc....	Summons only served.
Municipal, Manhattan.	48 380	Sept. 16, 1904	Goldstein, Simon, vs. Thomas F. O'Connor, etc.....	Summons only served.
Supreme..	48 381	Sept. 16, 1904	Warren Scharf Asphalt Paving Company	For repairing Mott avenue asphalt paving, \$982.29.
Supreme..	48 382	Sept. 17, 1904	Moynahan, Bartholomew	For services as Stenographer, testimony, People vs. Totterman, \$1,063.20.
Supreme..	48 383	Sept. 17, 1904	Moynahan, Bartholomew	For services as Stenographer, testimony, People vs. Duffy, \$546.
Supreme..	48 384	Sept. 17, 1904	Moynahan, Bartholomew	For services as Stenographer, testimony, People vs. Lupo, \$721.90.
Supreme..	48 385	Sept. 17, 1904	Moynahan, Bartholomew	For services as Stenographer, testimony, People vs. Henderson, \$218.10.
Supreme..	48 386	Sept. 17, 1904	Williams, George T., vs. The City of New York et al...	Summons only served.
Supreme, Rich'd Co.	48 387	Sept. 17, 1904	Richards, William (ex rel.), vs. George Cromwell, etc., et al	Mandamus to compel reinstatement as Driver.
Supreme, Rich'd Co.	48 388	Sept. 17, 1904	Bascombe, Thomas (ex rel.), vs. Geo. Cromwell et al...	Mandamus to compel reinstatement as Driver.
Supreme..	48 389	Sept. 17, 1904	Union Ferry Company of The City of New York vs. John J. Pallas, etc.	To restrain issuance of permit for stand in front of ferry house.
Supreme..	48 390	Sept. 17, 1904	Williams, Carolyn E., vs. The City of New York et al...	Summons only served.
Supreme..	48 391	Sept. 17, 1904	Juilliard, Augustus D., et al., trustees, etc.	To eject defendant from possession of lands under water of East river, bounded by Houston, Goerck and Third streets.
Supreme, Queens Co.	40 365 } 48 310 }	Sept. 13, 1904	Clay, George E. (ex rel.), vs. Joseph Cassidy, etc.	Mandamus to compel cancellation, etc., of permit issued to Thos. H. Tierney to maintain a lunch wagon in Long Island City, etc.

SCHEDULE "B."

Judgments, Orders and Decrees Entered.

People ex rel. Michael H. Collins vs. J. T. Oakley, etc.—Order entered granting relator an alternative writ of mandamus.

People ex rel. Ellen P. Kellogg and another, as trustees, etc., vs. J. L. Wells et al.—Order entered reducing assessment on relators' real property for 1903 to \$35,000.

John D. Vincent—Order entered discontinuing action without costs.

People ex rel. George Sternberg vs. W. H. Maxwell, etc.—Entered order denying relator's motion for a peremptory writ of mandamus.

People ex rel. James McGuinness vs. J. F. Ahearn, etc.—Entered order denying relator's motion for a peremptory writ of mandamus.

Lillian A. Beane, an infant, etc.—Order entered vacating order requiring plaintiff to file an undertaking for security for costs and granting leave to sue in forma pauperis.

People ex rel. Eugene J. McEnroe vs. F. A. O'Donnell et al.—Entered order denying relator's motion for a peremptory writ of mandamus.

People ex rel. United States Trust Company, as trustee of W. G. Frankland, vs. J. L. Wells et al.—Order entered discontinuing proceeding without costs.

Arthur Curtis vs. J. Palmer—Order entered granting defendant's motion to open default in appearance, on condition that he pay plaintiff \$30 costs and serve his answer within sixty days.

Helen W. Hoefler—Order entered discontinuing action without costs.

People ex rel. Read Holliday & Sons Company vs. J. L. Wells et al.—Entered Appellate Division order dismissing defendants' appeal, without costs.

Mary C. Burke, as administratrix, vs. The City of New York et al.—Order entered staying all proceedings on part of plaintiff towards collection of judgment.

Harris Rachelson—Order entered vacating judgment for costs and discontinuing action without costs.

Robert H. M. Ferguson vs. S. Low et al.—Order entered dismissing appeal and discontinuing action without costs.

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

Date.	Name.	Register and Folio.	Amount.
July 30, 1904	Assessors of Yorktown.....	36 334	\$110 90
July 30, 1904	Assessors of Yorktown.....	36 334	59 00
Sept 12, 1904	Flanagan, Martin	47 166	607 84

SCHEDULE "C."

Record of Court Work.

Arthur Curtis vs. J. Palmer—Defendant's motion to open default in appearance and for leave to serve answer argued before Seabury, J. Decision reserved. J. A. Stover for the City. "Motion granted on payment of \$30 costs."

People ex rel. Jane Gilfeather vs. E. M. Grout, etc.—Motion for peremptory writ of mandamus argued before Herrick, J. Decision reserved. P. E. Callahan for the City.

Charles Leslie; Mary Geary—Tried before Van Wart, J., in Municipal Court. Decision reserved. J. E. Walker for the City.

Hearings Before Commissioners of Estimate in Condemnation Proceedings.
Thirteenth and Fourteenth Streets, North River, Dock, 2 hearings; Pier 23, East River, Dock; Bulkhead between Piers 23 and 24, East River, Dock; Pier 24, East River, Dock; Pier 18, East River, Dock; 1 hearing each. C. D. Olendorf for the City.
East One Hundred and Seventeenth Street School Site, 1 hearing. C. N. Harris for the City.

SCHEDULE "D."

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

Department.	Contracts Approved as to Form.	Contracts Examined and Returned for Revision.	Advertisements Approved as to Form.
Education	15	..	2
Borough Presidents	13	..	2
Public Works	4	..	2
Parks	4	1	4
Fire	3	2	1
Docks	3	1	2
Water Supply, Gas and Electricity.....	2	2	..
Street Cleaning	3	1	1
Police	2	..	1
Armory Commissioners	2
Health	1	..
Total.....	51	8	15

Bonds Approved.

Finance	1
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Releases Approved.

Finance	4
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SCHEDULE "E."

Opinions Rendered to the Various Departments.

Department.	Number of Opinions.
Finance	14
Police	2
Borough Presidents	1
Education	1
Water Supply, Gas and Electricity.....	1
Docks	1
Health	1
Estimate and Apportionment.....	1
Total.....	22

JOHN J. DELANY, Corporation Counsel.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

City of New York, July 29, 1904.

In compliance with section 1546 of the Greater New York Charter, the Department of Water Supply, Gas and Electricity makes the following report of its transactions for the week ending July 23, 1904:

Public Moneys Received and Deposited.

Borough of Manhattan—	
Receipts for water rates.....	\$305,392 66
Receipts for penalties on water rates.....	303 00
Receipts for permits to tap mains.....	163 00
	<hr/> \$305,858 66
Borough of The Bronx—	
Receipts for water rates.....	\$33,267 40
Receipts for penalties on water rates.....	74 65
Receipts for permits to tap mains.....	173 50
	<hr/> \$33,515 55
Receipts for account Meter Setting Fund No. 2.....	447 41
	<hr/> \$33,962 96
Borough of Brooklyn—	
Receipts for water rates.....	\$145,413 21
Receipts for penalties on water rates.....	463 00
Receipts for permits to tap mains.....	347 59
Receipts for miscellaneous purposes.....	844 50
	<hr/> \$147,068 27
Receipts reported by Collector of Assessments and Arrears for arrears water prior to 1902.....	2,686 66
	<hr/> \$149,754 93
Borough of Queens—	
Receipts for water rates.....	\$4,989 83
Receipts for penalties on water rates.....	82 80
Receipts for permits to tap mains.....	50 50
	<hr/> \$5,123 13

Work Done on Public Lamps.

	Open Flame.	Single Welsbach.	
Lamps relighted.....	6	4	Consolidated Gas Company.
Lamps relighted.....	*6	..	Consolidated Gas Company.
Lamps relighted.....	1	..	New Amsterdam Gas Company.
Lamps discontinued.....	1	6	Consolidated Gas Company.
Lamps discontinued.....	*1	..	Consolidated Gas Company.
Lamps discontinued.....	8	..	New Amsterdam Gas Company.
Lamps discontinued.....	1	..	Northern Union Gas Company.
* indicates street sign lamp.			
Lamp-posts removed.....			18
Lamp-posts reset			20
Lamp-posts straightened			10
Columns refitted			3

Columns rerealed	7
Columns rerecalled	7
Service pipes refitted.....	6
Stand-pipes refitted	7

Changes in the Working Force.

BOROUGH OF MANHATTAN.

Appointed.

Nathan Schwartz, Laboratory Assistant, at \$900 per annum.
Mary F. Merrick, Stenographer and Typewriter, at \$900 per annum.
28 Laborers, at \$2 per day.
1 horse and wagon, at \$3 per day.

BOROUGH OF BROOKLYN.

Appointed.

1 Tapper, at \$1,200 per annum.
1 Laborer (Rockman), at \$3 per day.

Increased.

1 Machinist, from \$3 per day to \$1,050 per annum.
1 Machinist, from \$3 per day to \$1,200 per annum.

BOROUGH OF QUEENS.

Appointed.

William J. Henning, Stoker, at \$840 per annum.

FRANK J. GOODWIN, Deputy Commissioner.

BOARD OF EXAMINERS.

OCTOBER 4, 1904.

Present—Messrs. Walter Cook, Warren A. Conover, Charles Brendon, William C. Smith, Charles G. Smith, Edward F. Croker and William J. Frayer, Chairman.

Meeting called to order at 2 P. M.

On motion, minutes approved as read.

Appeal 95, New Building 706 of 1904, premises east side Webster avenue, about 23 feet from corner One Hundred and Seventy-sixth street, The Bronx; James F. Meehan, appellant.

No. 1. That the proposed shed is unlawful.

That the proposed shed will be 22 feet in height, which exceeds the height prescribed by law by 7 feet. This shed would be built according to law in every respect. Sides would be covered with corrugated iron and roof with tar and gravel.

That shed would be used for the purpose of storing lumber merely to protect same from the weather and that shed to be of any use must be 33 feet high.

Mr. Charles Kreyenborg appeared before the Board.

On motion, referred to Chief Croker for examination and report as to location and surroundings.

The Edison Company of New York requested, by letter dated September 30, 1904, reconsideration of Appeal 67 of 1904, said communication reading as follows:

In the matter of Appeal No. 67 of 1904, of May 10, 1904, relating to an electric light sign constructed entirely of metal on the roof of the two-story fireproof building, Nos. 335 to 345 Rider avenue, Borough of The Bronx, owned by the New York Edison Company, the said appeal having been denied:

And a reconsideration of the case having been asked for and denied by your Board at its meeting on last Tuesday, the 27th inst., at which latter hearing we found it impossible to have our representative present.

In order that we may have a representative present we hereby respectfully ask that you will reconsider the action taken by your Board at its last meeting, and grant a rehearing on our case.

We desire to make clear to you the following facts, viz.:

1. At the time the electric light sign in question was constructed we were not aware that the section of the Building Code, providing for sky signs had been, subsequent to its adoption and publication in book form, amended by the Board of Aldermen, placing a limitation of 9 feet on any sky sign, whereas, before that there was no limitation of height under the Code if made, as this is, entirely of metal.

2. We respectfully submit that we are employing an equally good or more desirable form of construction in that our building is only two stories and basement in height and constructed entirely fireproof; and the distance from the sidewalk to the top of our metal sign is less than one-half the distance from the ground to the top of the present limited dimensions lawfully placed on the roof of a six-story non-fireproof building.

3. Our sign is not placed above the front wall or cornice, as sky-signs under amendment to the Code can now be placed, but stands a goodly distance back from the front on the broad expanse of the fireproof roof. It can do no possible harm to the public interests, nor to any building in the neighborhood, nor to our own building.

We had no intention of doing anything contrary to the Building Code; the sign has cost quite a large sum of money and its destruction would be in the nature of wanton waste.

For the foregoing several reasons we respectfully ask that a rehearing will be granted to us, and a reconsideration of your denial of May 10 granted, in the hope and belief that following the foregoing statement of facts our original petition may be approved.

On motion, reconsideration granted.

Mr. Alfred J. Johnson appeared before the Board.

On motion, referred to Chief Croker for examination and report as to location and surroundings.

Adjourned.

THOMAS F. DONOHUE, Clerk.

DEPARTMENT OF PARKS.

THURSDAY, SEPTEMBER 22, 1904—STATED MEETING, 3 P. M.

Present—Commissioners Pallas, President; Schmitt, Kennedy.

A representative of the Comptroller being present, and the meeting open to the public, the estimate-box was opened and all the bids or proposals which had been received, pursuant to duly published advertisements, were opened and read, as follows:

For furnishing all the labor and materials for the erection and completion of a pheasants' aviary in the New York Zoological Park, in Bronx Park, Borough of the Bronx.

Bidders.	Amount.
Luke A. Burke.....	\$29,500 00
Thomas Cockerill & Son.....	32,300 00
John H. Goetschius.....	23,599 00
T. Guidone & Galardi.....	24,895 00
Conrad Hewitt.....	19,546 00
Kelly & Kelley.....	27,950 00
Charles Meads & Co.....	34,370 00
Springstead & Adamson.....	22,361 00
George L. Walker Company.....	23,440 00
Waters & O'Connell.....	28,473 00

For Contract No. 4 for Work and Material for Erection and Completion of the Library Stack Work in the New York Public Library, Astor, Lenox and Tilden Foundations, Fifth Avenue, Fortieth and Forty-second Streets, Borough of Manhattan.

No.	Items.	Quantities.	The P. J. Carlin Construction Company.		J. B. & J. M. Cornell Company, Incorporated.		Hecla Iron Works.		Library Bureau, No. 1.		Library Bureau, No. 2.	
			Price.	Amount.	Price.	Amount.	Price.	Amount.	Price.	Amount.	Price.	Amount.
1.	For all the work shown by contract drawings in the main stack room and in the miscellaneous room the sum of.....			\$712,000 00		\$870,000 00		\$737,200 00		\$952,000 00		\$865,000 00
2.	For additional stack work of same construction as free standing stacks, not including the ends, complete, in place.....	2,000 cubic feet....	\$1 00	2,000 00	\$1 00	2,000 00	\$1 25	2,500 00	\$1 00	2,000 00	\$0 95	1,900 00
3.	For additional wall shelving of same construction as wall shelving in miscellaneous rooms, not including the ends, complete, in place..	4,000 cubic feet....	1 00	4,000 00	1 00	4,000 00	1 25	5,000 00	60	2,400 00	55	2,200 00
4.	For cast-iron work for ends of stacks and for duct register and conveyor inclosures, type B or C, complete, in place.....	5,000 pounds.....	07	350 00	08	400 00	08 1/2	425 00	11	550 00	11	550 00
5.	For deck floors, complete, in place, with framing and strings, type B.....	300 square feet...	7 80	2,340 00	3 00	900 00	4 50	1,350 00	3 00	900 00	3 00	900 00
6.	For deck floors, complete, in place, with framing and strings, type C.....	300 square feet...	9 20	2,760 00	3 25	975 00	4 50	1,350 00	3 50	1,050 00	3 50	1,050 00
7.	For gallery rail, complete, in place, type B..	100 linear feet....	7 60	760 00	8 50	850 00	6 00	600 00	10 00	1,000 00	10 00	1,000 00
8.	For gallery rail, complete, in place, type C....	100 linear feet....	35 00	3,500 00	25 00	2,500 00	24 00	2,400 00	30 00	3,000 00	30 00	3,000 00
9.	For stairs and rail, complete, in place, type B.	5 flights.....	340 00	1,700 00	375 00	1,875 00	275 00	1,375 00	425 00	2,125 00	425 00	2,125 00
10.	For stairs and rail, complete, in place, type C.	5 flights.....	980 00	4,900 00	750 00	3,750 00	750 00	3,750 00	800 00	4,000 00	800 00	4,000 00
				\$734,310 00		\$887,250 00		\$755,950 00		\$969,025 00		\$881,725 00

No.	Items.	Quantities.	The Snead & Co. Iron Works.		The Van Dorn Iron Works Company, No. 1.		The Van Dorn Iron Works Company, No. 2.		The Van Dorn Iron Works Company, No. 3.		The Van Dorn Iron Works Company, No. 4.	
			Price.	Amount.	Price.	Amount. Estimate "A."	Price.	Amount. Estimate "B."	Price.	Amount. Estimate "C."	Price.	Amount. Estimate "D."
1.	For all the work shown by contract drawings in the main stack room and in the miscellaneous room the sum of.....			\$889,753 00		\$797,000 00		\$807,000 00		\$823,000 00		\$832,000 00
2.	For additional stack work of same construction as free standing stacks, not including the ends, complete, in place.....	2,000 cubic feet....	\$2 17	4,340 00	\$1 50	3,000 00	\$1 50	3,000 00	\$1 50	3,000 00	\$1 50	3,000 00
3.	For additional wall shelving of same construction as wall shelving in miscellaneous rooms, not including the ends, complete, in place..	4,000 cubic feet....	2 10	8,400 00	2 00	8,000 00	2 00	8,000 00	2 00	8,000 00	2 00	8,000 00
4.	For cast-iron work for ends of stacks and for duct register and conveyor inclosures, type B or C, complete, in place.....	5,000 pounds.....	12	600 00	20	1,000 00	20	1,000 00	20	1,000 00	20	1,000 00
5.	For deck floors, complete, in place, with framing and strings, type B.....	300 square feet...	5 60	1,680 00	6 00	1,800 00	6 00	1,800 00	6 00	1,800 00	6 00	1,800 00
6.	For deck floors, complete, in place, with framing and strings, type C.....	300 square feet...	5 60	1,680 00	8 00	2,400 00	8 00	2,400 00	8 00	2,400 00	8 00	2,400 00
7.	For gallery rail, complete, in place, type B..	100 linear feet....	12 00	1,200 00	9 00	900 00	9 00	900 00	9 00	900 00	9 00	900 00
8.	For gallery rail, complete, in place, type C..	100 linear feet....	26 00	2,600 00	30 00	3,000 00	30 00	3,000 00	30 00	3,000 00	30 00	3,000 00
9.	For stairs and rail, complete, in place, type B.	5 flights.....	450 00	2,250 00	440 00	2,200 00	440 00	2,200 00	440 00	2,200 00	440 00	2,200 00
10.	For stairs and rail, complete, in place, type C.	5 flights.....	840 00	4,200 00	800 00	4,000 00	800 00	4,000 00	800 00	4,000 00	800 00	4,000 00
				\$916,703 00		\$823,300 00		\$833,300 00		\$849,300 00		\$858,300 00

The minutes of the previous meeting were read and approved. Communications were received from Barney & Chapman, architects, and from the Architect of the Department in relation to the work of erecting a comfort station in Morningside Park, under contract with Jerry Altieri, and recommending that the time stipulated for the completion of said work be extended to the date of its actual completion on account of delays due to no fault on the part of the contractor.

Commissioner Pallas offered the following: Resolved, That the time stipulated for the completion of the contract for the erection of a comfort station in Morningside Park be and the same hereby is extended to September 15, 1904, as recommended by the architects.

Which was adopted by the following vote: Ayes—Commissioners Pallas, Schmitt, Kennedy—3.

Commissioner Schmitt offered the following: Resolved, That the Commissioner of Parks for the Borough of The Bronx be authorized to cause plans, specifications and form of contract to be prepared for the completion of the improvement of Mosholu parkway, from Webster avenue to Van Cortlandt Park, and when so prepared, and the contract shall have been approved as to form by the Corporation Counsel, to publish an advertisement inviting proposals for doing the work.

Which was adopted by the following vote: Ayes—Commissioners Pallas, Schmitt, Kennedy—3.

Commissioner Schmitt offered the following: Resolved, That the Commissioner of Parks for the Borough of The Bronx be authorized to cause plans, specifications and form of contract to be prepared for the erection and completion of an athletes' lodge in Pelham Bay Park, in the Borough of The Bronx, in The City of New York, and when so prepared, and the contract shall have been approved as to form by the Corporation Counsel, to publish an advertisement inviting proposals for doing the work.

Which was adopted by the following vote: Ayes—Commissioners Pallas, Schmitt, Kennedy—3.

Commissioner Kennedy offered the following: Resolved, That all the bids and proposals received on the 8th inst., for cleaning the lake in Prospect Park, Brooklyn, be and the same hereby are rejected, it being deemed for the interest of the City so to do.

Which was adopted by the following vote: Ayes—Commissioners Pallas, Schmitt, Kennedy—3.

On motion, at 4.25 P. M., the Board adjourned.

WILLIS HOLLY, Secretary.

DEPARTMENT OF PARKS.

THURSDAY, SEPTEMBER 29, 1904—STATED MEETING, 3 P. M.

Present—Commissioners Pallas (President), Kennedy.

A representative of the Comptroller being present, and the meeting open to the public, the estimate-box was opened and all the bids or proposals which had been received pursuant to duly published advertisements, were opened and read, as follows:

For Repairs and Alterations and New Plumbing, Tiling and Roofing Work on Public Comfort Station Located in Central Park, near the West Drive and North of Sixty-fifth Street Transverse Road, Borough of Manhattan.

Name of Bidders.	Amount.
Frank Heitzner & Hyman Reines.....	\$1,505 00
William Horne Company.....	1,749 00
Christopher Nally.....	2,320 00
Michael J. O'Brien.....	1,800 00
John Spence Company.....	2,196 00
Charles Wille.....	2,535 00
Wilbur T. Wright.....	2,091 00

For Furnishing and Delivering Fresh Beef for the Central Park Menagerie, Borough of Manhattan.

Name of Bidders.	225 Pounds Per Day for 79 Days. Price.	17,775 Pounds in All. Amount.
George C. Engel Company.....	\$0 06	\$1,066 50
Metropolitan Hotel Supply Company.....	0549	975 85
Nauss Brothers Company.....	*079	1,410 75
Sayles, Zahn Company.....	0565	1,004 29
Mayer Stern.....	065 1/2	1,155 37
M. Zimmermann Company.....	*07	\$06

*Beef, per pound.
†13 Livers, at, each.
‡Livers, per pound.

For Furnishing and Delivering Paving Brick, Hard Brick and Portland Cement, Boroughs of Brooklyn and Queens.

No.	Items.	Quantities.	Audley Clarke. Price.	Amount.	William N. Kenyon. Price.	Amount.
1	Vitrified paving brick.....	25,000.....	\$750 00	*\$26 50	\$662 50	
2	Connecticut hard brick for Forest Park.....	65,000.....	812 50	*12 50	812 50	
3	Connecticut hard brick for Sunset Park.....	40,000.....	440 00	*12 00	480 00	
4	Connecticut hard brick for Prospect Park.....	20,000.....	220 00	*12 00	240 00	
5	Barrels Portland cement for Forest Park.....	100 barrels..	200 00	1 50	150 00	
6	Barrels Portland cement for Prospect Park.....	100 barrels..	185 00	1 45	145 00	
	Total.....			\$2,607 50	\$2,490 00	

*Per 1,000.

For Furnishing and Delivering Iron Water-pipe at Sunset Park, Borough of Brooklyn.

No.	Items.	Quantities.	M. J. Drummond & Co. Price.	Amount.	Isaac Harris. Price.	Amount.
1	4-inch cast-iron water pipe..	1,500 linear feet..	\$0 30	\$450 00	\$0 30	\$450 00
2	2-inch galvanized-iron water pipe	3,200 linear feet..	12.9	412 80	14 1/4	456 00
3	1-inch galvanized-iron water pipe	1,000 linear feet..	06	60 00	06 1/2	65 00
4	4-inch cast-iron T's.....	7.....				
5	4-inch cast-iron plugs, topped 2-inch hole and threaded	7.....				
6	4-inch cast-iron caps.....	2.....				
7	1-inch by 2-inch brass nipples	12.....				
8	4-inch Kennedy valves, nut on spindle	2.....				
9	2-inch brass wheel gate valves	8.....		200 00		155 00
10	1-inch brass garden valves..	60.....				
11	1-inch galvanized-iron elbows	30.....				
12	2-inch by 1-inch galvanized T's	40.....				
13	1-inch galvanized-iron T....	1.....				
14	2-inch galvanized-iron caps..	6.....				
15	Pig lead.....	1,000 pounds.....				
Total.....				\$1,122 80		\$1,126 00

The minutes of the previous meeting were read and approved.

The following communications were received:

From the Secretary of the Board of Estimate and Apportionment—

1st. Advising of the dates fixed for hearings in relation to the Departmental Estimates for the year 1905. Filed.

2d. Forwarding a copy of a resolution authorizing an issue of Corporate Stock to an amount not exceeding \$18,000, to provide means for the construction of a comfort station in Madison Square Park. Filed.

From the Frontier Manufacturing Company, in relation to the spraying of park trees and plants and the benefits gained by the use of the Niagara Sprayer. Filed.

From Arnold W. Brunner, architect, and J. F. Munckwitz, Architect, of the Department, reporting the completion of the work under Contracts Nos. 1 and 2, for the erection of the Thomas Jefferson Park Pavilion, and recommending that the stipulated time for the completion of both contracts be extended to September 10, 1904, and that the final payments be made accordingly.

Commissioner Pallas offered the following:

Resolved, That the stipulated time for the completion of work under the contracts with Thomas Cockerill & Son for the Thomas Jefferson Park Pavilion be and the same hereby is extended to September 10, 1904, as recommended by the architects, on account of delays due to no fault on the part of the contractors.

Which was adopted by the following vote:

Ayes—Commissioners Pallas, Kennedy—2.

From the Corporation Counsel, advising the Department as to its power to regulate the limit of speed of electric cars crossing the Central Park through Transverse road No. 3. Filed.

Commissioner Pallas offered the following:

Resolved, That the following be and hereby is adopted as a rule or ordinance of this Department:

The rate of speed for all vehicles using the transverse roads crossing Central Park, including the running of cars on surface railways, shall not exceed eight miles an hour.

Which was adopted by the following vote:

Ayes—Commissioners Pallas, Kennedy—2.

Commissioner Pallas offered the following:

Resolved, That the proposal of the lowest formal bidder for supplying fresh beef for the Central Park menagerie, for which bids have been this day received, be forwarded to the Comptroller for approval of sureties, and when so approved that a contract for the same be entered into and executed by the President for and on behalf of this Board.

Which was adopted by the following vote:

Ayes—Commissioners Pallas, Kennedy—2.

Commissioner Kennedy offered the following:

Resolved, That the proposals of the lowest formal bidders respectively for iron water pipe for Sunset Park, Brooklyn, and for brick and cement for parks, etc., in Brooklyn and Queens, for which bids have been this day received, be forwarded to the Comptroller for his approval of sureties, and when so approved that contracts for the same be entered into and executed by the President for and on behalf of this Board.

Which was adopted by the following vote:

Ayes—Commissioners Pallas, Kennedy—2.

On motion, at 3.30 p. m. the Board adjourned.

WILLIS HOLLY, Secretary.

POLICE DEPARTMENT.

New York, October 1, 1904.

The following proceedings were this day directed by Police Commissioner McAdoo:

Approved.

Recommendation of First Deputy Commissioner Thomas F. McAvoy, disapproving application of Captain Joseph C. Gehegan, Thirty-ninth Precinct, for transfer of Roundsman Patrick Walsh, Seventy-fifth Precinct, to his command.

Recommendation of First Deputy Commissioner Thomas F. McAvoy, disapproving application of Captain James F. Nally, Thirtieth Precinct, for the temporary assignment of Patrolman John Merz as election custodian.

Application of Captain George A. Aloncle, Seventy-seventh Precinct, for transfer of Patrolman Paul P. Gallagher, Ninth Precinct, to his command as Precinct Detective in place of Patrolman Edmund O. Matthews, Seventy-seventh Precinct.

Referred to the Chief Inspector.

Communication from H. F. Doherty, commending Patrolman No. 5305 for rescuing a man from drowning. For report.

Communication from John J. Clair, commending Patrolmen Charles Mooney and Michael Kelly, Sixty-first Precinct, for quelling a disturbance. For report.

Communication from Committee of Property-owners' of the Twenty-fifth Precinct, complaining of inefficiency of Detectives Banzer and Wilhelm, Twenty-fifth Precinct. Through the Chief Inspector to the Captain of the Precinct for report.

Application of Henry A. Rubino for appointment of John A. Leddy as Special Patrolman.

Application of Metropolitan Electric Protective Company, for appointment of John W. Hynes as Special Patrolman.

Referred to the Third Deputy Commissioner.

Communication from William B. Hurd, Jr., asking that Samuel Hardy be restored to duty as Captain of Police. For report.

Ordered, That the report of the Superintendent of Telegraph showing the telegraph and telephone property owned by the Police Department of The City of New York be respectfully forwarded to the Department of Taxes and Assessments, in pursuance of request dated August 15 1904.

On reading and filing report of Third Deputy Commissioner Harris Lindsley, Ordered, That the request of William H. Rynders, formerly Detective Sergeant, for reinstatement, be and is hereby denied (under the provisions of Rule 13, Civil Service Law).

Ordered, That the Commissioners of the Sinking Fund be and are hereby respectfully requested to authorize the Comptroller to execute renewal of leases of premises known as the Postoffice building, Westchester, from William Henderson (1) of one store on the ground floor and eight rooms on the second floor, at the rate of \$1,800 per annum, for one year from January 1, 1905; (2) of one store on the ground floor, adjoining the above-described store, and the entire third floor, at the rate of \$1,100 per annum, for one year from January 1, 1905, for station-house purposes for the Thirty-eighth Police Precinct, the covenants to be the same as in existing leases.

Ordered, That the Commissioners of the Sinking Fund be and are hereby respectfully requested to authorize the Comptroller to execute renewal lease from Eleanor C. Dickerson of premises north side of Voorhees avenue, 100 feet west of Shore road, Brooklyn, for station-house purposes for the Sixty-eighth Precinct, for one year from January 1, 1905, at the rate of \$1,200 per annum, the covenants to be the same as in existing lease.

Ordered, That the Commissioners of the Sinking Fund be and are hereby respectfully requested to authorize the Comptroller to execute renewal lease from Margaret McGrath of premises on Nineteenth avenue, between Bath and Benson avenues, in the Borough of Brooklyn, for station-house and stable for the Seventieth Precinct, for one year from January 1, 1905, at \$750 per annum, the covenants to be the same as in existing lease.

Ordered, That the Commissioners of the Sinking Fund be and are hereby respectfully requested to authorize the Comptroller to execute renewal of lease from Henry J. Glasser of premises corner of Myrtle avenue and Harmon avenue, Glendale, Queens, being a stable on rear of lot for the purposes of the Eighty-third Sub-Police Precinct, for one year from January 24, 1905, at \$480 per annum, the covenants to be the same as in existing lease.

Ordered, That John McGroarty, whose name appears upon Eligible List of the Municipal Civil Service Commission, dated September 13, 1904, and renewed by the said Commission on September 30, 1904, be and is hereby employed on probation as Patrolman.

Ordered, That the following-named persons be and are hereby appointed as Patrolmen, their term of probation having expired, and are assigned to duty in precincts as designated:

- Thomas J. Barrett, Sixtieth Precinct.
- Everett Kellum, Seventy-eighth Precinct.
- William A. Higgins, Forty-fifth Precinct.
- James McGuire, Forty-ninth Precinct.
- Jeremiah T. Regan, Sixty-first Precinct.

Ordered, That consent be and is hereby given to the substitution of the American Bonding Company, of Baltimore, in the place of G. J. Monroe and N. W. Folsom, as surety in the proposal of Neptune B. Smyth for erecting wood partitions, etc, in Borough Headquarters, Brooklyn.

Dismissed the Force.

Patrolman Robert S. Beal, Jr., Forty-fifth Precinct, on three (3) charges of neglect of duty. Tried before Second Deputy Commissioner Thomas F. Farrell.

Masquerade Ball Permits Granted.

- Josephine Mertz, Holtz Hall, Brooklyn, October 8; fee, \$10.
- A. A. Church, Congress Hall, Brooklyn, November 21; fee, \$10.

Special Patrolmen Appointed.

- Edward Fingelsang, for B. Weill, Brooklyn.
- John G. Curran, for David Mayer, Garden Theatre, Manhattan.
- Henry D. Hendrickson, for Bustanoby Brothers, Manhattan.
- David Beadle, for United Dressed Beef Company, Manhattan.

Special Patrolman Resigned.

- Lincoln Clouse, employed by William H. Reynolds, Brooklyn.
- Appointment Revoked as Special Patrolman.

W. G. Carney, employed by Metropolitan Electric Protective Company, Manhattan.

Granted.

Request of Charles Trout, that another Special Patrolman's shield be issued for the one lost. On payment of additional deposit and filing affidavit.

Ordered to be Paid.

George W. McClusky, \$100, on account Contingent Expenses, Central Department, etc. Money advanced by order of the Commissioner.

Referred to the Corporation Counsel.

Summons, Eleventh District Court, case of James A. Sherman against Thomas F. O'Connor, Property Clerk. For advice or to defend if required.

Full Pay Granted.

- Patrolman James Gilday, Nineteenth Precinct, March 18 to September 7, 1904.
- Patrolman Joseph Fallon, Fifth Precinct, August 8 to August 15, 1904.

On File, Send Copy.

Report of Captain James McGlynn, Thirty-first Precinct, on communication from Alonzo Corsa, relative to disturbance at No. 6 St. Nicholas terrace.

On File.

Communication signed "An Indignant Neighbor," protesting against promoting Sergeant Patrick J. Tracy.

Notice from Mark Hoffman, that he has ordered that all proceedings brought by him against the Police Department be discontinued.

Notice from Civil Service Commission to include certain information when making requisition for employees.

Acknowledgment from Electric Launch Company of receipt of notice to furnish ice-breaking shoes for three new launches.

Communication from Department of Docks and Ferries, asking for detail of Patrolmen to prevent bathing in basin from Fourteenth street south.

Report of Captain John J. McNally, Second Precinct, relative to disposition of prisoners taken for maintaining pool room at No. 63 Dey street.

Report of Captain Nathaniel N. Shire, Twenty-first Precinct, relative to raid on alleged pool-room at No. 161 East Thirty-second street.

Report of Captain Joseph Burns, Thirty-second Precinct, relative to arrests for violation of section 322 of the Penal Code.

Report of Captain John W. Cottrell, Nineteenth Precinct, relative to arrest for keeping and maintaining a pool-room at No. 11 West Twenty-fifth street.

WM. H. KIPP, Chief Clerk.

POLICE DEPARTMENT.

New York, October 3, 1904.

The following proceedings were this day directed by Police Commissioner William McAdoo:

Approved.

Application of Captain Miles O'Reilly, Fifty-fourth Precinct, to have a telephone box placed on telegraph pole on the southeast corner of Saratoga and Jefferson avenues.

Application of Inspector Donald Grant, Twelfth District, to be excused for twenty-four hours from noon the 3d inst.

Referred to the Chief Inspector.

Communication from Thomas Kelly, commending a Roundsman for bravery at Forty-sixth street and Ninth avenue. For report.

Application of W. C. Mushenheim, for appointment of Thomas Maxwell as Special Patrolman.

Application of Waldorf-Astoria Hotel Company, for appointment of Howell Clark as Special Patrolman.

Masquerade Ball Permits Granted.

- Wm. Nehrbass, Tammany Hall, Manhattan, October 8; fee, \$25.
- Geo. Lampe, Amsterdam Opera House, Manhattan, October 8; fee, \$25.

Special Patrolmen Resigned.

- John Moorehead, employed by Hudson River Day Line, Manhattan.
- Frank J. Wilson, employed by Mutual Patrol, Brooklyn.

Special Patrolmen Appointed.

Max Dann, for A. Goldstein, Webster Hall, Manhattan.
 Michael Dunphy, for Marie Antoinette Hotel Company, Manhattan.
 Charles J. Bohnen, for Hungarian Restaurant Company, Manhattan.

Appointment Revoked as Special Patrolman.

Maurice O'Connor, employed by Charles K. Sturges, Brooklyn.

Denied.

Application of Patrolman Rudolph Tesiny, Thirty-second Precinct, for seven days' leave of absence without pay.

Ordered, That Augustine L. Costello be and is hereby appointed as Patrolman, his term of probation having expired, and is assigned to duty in the Sixty-second Precinct.

On reading and filing communication from Corporation Counsel, dated September 30, 1904, returning peremptory writ of mandamus in proceedings in Supreme Court, Kings County, entitled People ex rel. Joseph M. Garvey, advising that the relator should be at once reinstated in his position as Patrolman, and the commands of the writ be obeyed.

Ordered, That Joseph M. Garvey be and is hereby reinstated as Patrolman in the Police Department of The City of New York, that he be assigned to perform duty as such Patrolman, and that pay-roll be prepared and certified, to pay to the said Joseph M. Garvey, his arrears of salary and compensation as such Patrolman from January 1, 1898, down to the present time, at the rate of \$800 for the year 1898, \$900 for the year 1899, \$1,000 for the year 1900, \$1,150 for the year 1901, \$625 for the first six months of the year 1902, \$675 for the last six months of the year 1902, \$1,400 for the year 1903, and at the rate of \$1,400 for the year 1904, with interest thereon.

Amusement License Granted.

Yorkville Theatre Company, the Yorkville Theatre, Nos. 157-161 East Eighty-sixth street, Manhattan, October 3, 1904, to May 1, 1905, fee \$500.

On File.

Report of Captain Francis J. Kear, Sixth Precinct, relative to arrest of one James Wilson for keeping and maintaining a pool-room at No. 508 Pearl street.

Report of Captain Cornelius G. Hayes, Twentieth Precinct, relative to examination of one Fred. Williams, charged with keeping and maintaining a pool-room.

Report of Surgeon J. D. Sullivan of contagious disease in the family of Roundsman William H. Wilbur, Sixty-fifth Precinct.

The following advance to grades were ordered by the Commissioner:

To \$1,000 Grade—September 8, 1904.

William J. Barlow, Health Squad.
 Edward P. Denny, Fiftieth Precinct.
 Timothy J. Dorsett, Thirty-eighth Precinct.
 James McNaughton, Fifty-sixth Precinct.
 Michael M. McGuinness, Thirty-first Precinct.
 Charles Schultz, Twelfth Precinct, to \$1,000 grade, September 11, 1904.

To \$1,150 Grade.

William Ames, Twenty-second Precinct, September 9, 1904.
 John Corridon, Tenth Precinct, September 9, 1904.
 John J. Mahoney, Fortieth Precinct, September 11, 1904.
 Samuel Lloyd, Thirty-third Precinct, September 12, 1904.
 Charles M. Murphy, Brooklyn Headquarters Squad, September 13, 1904.
 Richard Bannon, Fifty-first Precinct, September 13, 1904.
 Charles V. Stevens, Seventy-second Precinct, September 22, 1904.

To \$1,150 Grade—September 14, 1904.

William J. Regan, Twenty-eighth Precinct.
 James J. O'Brien, Twenty-sixth Precinct.
 Arthur F. Keefe, Seventeenth Precinct.
 Joseph Herzing, Twenty-second Precinct.

To \$1,150 Grade—September 16, 1904.

John E. Thul, Sixty-first Precinct.
 Florence Rempe, Fourth Precinct.
 Timothy L. O'Brien, Nineteenth Precinct.
 Thomas Malloy, Nineteenth Precinct.
 John V. Healy, Twenty-eighth Precinct.
 John Gibbons, Twenty-ninth Precinct.
 John P. M. Griffiths, Seventy-fourth Precinct.
 James J. Forde, Twenty-sixth Precinct.
 Walter J. Flanders, Eleventh Precinct.
 Thomas Clynes, Fifty-fifth Precinct.
 James Crozier, Fifty-fourth Precinct.
 Edward H. Conroy, Twenty-fourth Precinct.

To \$1,250 Grade—September 12, 1904.

Matthew T. McNamara, Seventy-third Precinct.
 James McMahon, Central Office.
 Dennis McClunn, Seventy-second Precinct.
 Daniel McGillen, Twentieth Precinct.
 Martin Mannix, Fifty-sixth Precinct.
 Michael J. Mann, Fifty-sixth Precinct.
 William F. Henne, Sixteenth Precinct.
 Frederick F. Dietrich, Ninth Precinct.
 George C. Bancker, First Precinct.

To \$1,350 Grade.

John P. Crowley, Sixty-ninth Precinct, August 15, 1904.
 Joseph Penz, Fifteenth Precinct, September 21, 1904.

The following transfer was ordered by the Commissioner, to take effect 4 p. m., the 4th inst.:

Patrolman Abraham Snyder, from Fifth Precinct to First Precinct.

WM. H. KIPP, Chief Clerk.

POLICE DEPARTMENT.

New York, October 4, 1904.

The following proceedings were this day directed by Police Commissioner William McAdoe:

Approved.

Request of Charles Dersch, President Organization of the General Slocum Survivors, that Patrolman Gustave Gick, Thirty-fifth Precinct, be given leave of absence to be present at meeting of said organization Wednesday evening, October 5, 1904.

Application of Captain Stephen O'Brien, Third Precinct, for the temporary detail of certain officers for duty as Instructors and Drill Masters.

Recommendation of Second Deputy Commissioner Thomas F. Farrell that Doorman James McNurney, Fifty-fourth Precinct, be transferred to the Fifty-second Precinct.

Recommendation of Second Deputy Commissioner Thomas F. Farrell that detail of Patrolmen to Eighth District Court be discontinued.

Referred to Chief Inspector.

Communication from Empire State Society, Sons of American Revolution, commending Captain Halpin and Patrolman Sowarby for action taken and arrest made for defacing a monument at Fort Washington. To cause this letter to be read to the Captain, Sergeant and Patrolman.

Communication from Hon. John F. Ahearn, Borough President, Manhattan, relative to stealing of street signs. For immediate attention.

Communication from Rapid Transit Subway Construction Company, inclosing report relative to destruction of Rapid Transit Elevated work in The Bronx. To the Captain of the Precinct, through the Chief Inspector, to give this matter immediate and prompt attention, and to make every effort to apprehend those engaged in this thievery and destruction of property.

Application of Patrolman Michael Heyman, Second Precinct, for retirement. Returned through the Chief Inspector, disapproved, The officer has not served twenty-five years.

Application of Phoenix Insurance Company for appointment of Alex Ray as Special Patrolman.

Application of David Seidenman for appointment of H. Shellman as Special Patrolman.

Special Patrolmen Resigned.

Peter Barrett, employed by William H. Reynolds, Brooklyn.
 Harry Labishiner, employed by William H. Reynolds, Brooklyn.
 Frank C. England, employed by William H. Reynolds, Brooklyn.
 Thomas McGowan, employed by James McKane, Brooklyn.
 Charles W. Francis, employed by Brooklyn Patrol Association, Brooklyn.

Notice of Death.

Patrolman Gerald P. Minchen, Second Precinct, at 4 a. m., 4th inst.

Special Patrolmen Appointed.

Walter S. Lamb, for N. B. Thurston, Manhattan.
 Anthony Camarda, for E. Mondaini & Co., Brooklyn.

Referred to the Board of Surgeons.

Report of Surgeon John J. Quigley on permanent disability of Sergeant John Gallagher and Patrolman Herman Horn, Thirtieth Precinct.

Report of Surgeon M. R. Palmer on permanent disability of Detective Sergeant Thomas Brady, Twenty-first Precinct.

Report of Surgeon D. H. Smith on permanent disability of Patrolmen Hugh Lynch and Robert Anderson, Seventeenth Precinct.

Report of Surgeon A. H. Brown on permanent disability of Patrolman Daniel J. McCarthy, Fifth Precinct.

Report of Surgeon W. B. Brouner on permanent disability of Patrolman Peter Kelly, Seventy-sixth Precinct.

Report of Surgeon Charles Phelps on permanent disability of Roundsman Aaron W. Manchester and Patrolman Matthew Kennedy, Third Precinct.

Report of Surgeon John H. Nesbitt on permanent disability of Patrolman Charles B. Randall, Twenty-second Precinct.

Report of Surgeon J. D. Sullivan on permanent disability of Patrolman Wells L. Smith, Sixty-sixth Precinct.

Report of Surgeon C. E. Nammack on permanent disability of Patrolman William Allison, Sixteenth Precinct. For examination and report in each case.

Referred to the Second Deputy Commissioner.

Communication from Department of Bridges relative to heating their premises at No. 193 Broadway, Brooklyn, from boiler in Station House at No. 191 Broadway. To make necessary arrangements. Request approved.

Referred to the Third Deputy Commissioner.

Communication from The United States Frame and Picture Company, relative to their facility for framing pictures.

Notice from the Department of Buildings to remove violation at Nos. 245-247 Madison street, Manhattan. For report.

Petitions for pension for Margaret Burke, widow James J. Burke, deceased Patrolman, and Margaret Schindler, widow of Louis Schindler, deceased Patrolman.

Petition for increase of pension of Margaret Roe, widow of Edward Roe, deceased pensioner.

Chief Clerk to Answer.

W. C. Vosburgh Manufacturing Company, relative to placing lamp-post in front of Brooklyn Headquarters.

A. L. Bump, asking name, rank, etc., of officer who arrested Sidney Armstrong on or about August 9, 1904.

N. B. Blum, protesting against granting permits for discharge of fireworks in Park at One Hundred and Twelfth street and East river.

H. L. Smith, Deputy Comptroller, asking that full information relative to real estate leases by this Department be made in the budget for 1905.

J. B. Mahool, asking for copy of ordinance regulating the obstruction of street-cars by wagons.

Eva E. Love, asking information relative to Floating Hospital.
 E. Imhauser & Co., relative to using their machines for use in this Department.

Disapproved.

Application of Brooklyn Patrol Association for appointment of Joseph Nidds as Special Patrolman.

Application of Patrolman William F. Hedeman, Sixteenth Precinct, to be reimbursed for summer blouse destroyed.

Full Pay Granted.

Patrolman William F. Hedeman, Sixteenth Precinct, September 5 to 22, 1904.
 Patrolman Patrick Sugrue, Forty-second Precinct, September 14 to 21, 1904.

Leave of Absence Granted.

Patrolman James Halley, Fifth Precinct, 30 days with half pay.

Concert License Granted.

Carinine Lemmo, Lemmo Concert Hall, No. 107 Navy street, Brooklyn, September 30 to December 30, 1904; fee, \$150.

Charles S. Caromonte, Venice Hall, No. 30 Flushing avenue, Brooklyn, October 1, 1904, to January 1, 1905; fee, \$150.

V. Ligety, The Orpheum, No. 126 Second avenue, Manhattan, for three months from date; fee, \$150.

Amusement License Granted.

Hyde & Behman Amusement Company, Amphion Theatre, Bedford avenue, near Broadway, Brooklyn, October 1, 1904, to May 1, 1905; fee, \$500.

Masquerade Ball Permit Granted.

W. G. Gomlicker, Majestic Hall, Manhattan, October 8; fee, \$10.

Laid Over.

Application of Mary D. Valentine for amusement license for Olympic Theatre, No. 2394 Third avenue, Manhattan.

On reading and filing report of Captain Dennis Sweeney, Eighth Precinct, Ordered, That the Commissioner of the Department of Water Supply, Gas and Electricity be respectfully requested to place two gas lamps in Staple street, between Harrison and Jay streets, and that a copy of such report be forwarded to said Commissioner, and to the President, Borough of Manhattan.

On reading and filing communication from Second Deputy Commissioner Thomas F. Farrell, submitting bids for making and completing repairs and alterations to stable flooring and erecting new fence in front of the stable of the Forty-sixth Precinct, viz.:

John Byrne, No. 74 Underhill avenue.....	\$987 00
George Pierce, No. 176 Sumner avenue.....	887 00
Otto Palmleaf, No. 446 Clinton street.....	800 00

Ordered, That the proposal of Otto Palmleaf, No. 446 Clinton street, to furnish all the labor and materials required in making and completing repairs and alterations to stable floor and erecting new fence in front of the stable in the Forty-sixth Precinct, as per specifications, for the sum of eight hundred dollars be and the same is hereby accepted.

On File.

Permanent disability reports of Surgeons, under the Rules.

Protests of Detective Sergeants Henry Keiser, Seventy-second Precinct, Owen Beagen and Benjamin Scheffler, Thirtieth Precinct, against assignment to other than detective duty.

Communication from H. H. Cammann, commending Captain McNally and Patrolmen of the Second Precinct, for services rendered on October 2, 1904.

Communication from John J. Delany, Corporation Counsel, stating that a resolution authorizing an increase of force should originate with the Board of Aldermen.

Acknowledgment from Department of Docks and Ferries of receipt of communication relative to placing radiators in quarters used by the Police Department on Pier "A," North river.

Communication from the Board of Rapid Transit Railroad Commission relative to Isle of Safety in front of Brooklyn Bridge.

Resolution from the Central Federated Union relative to enforcement of the Eight Hour Law.

SUPREME COURT—FIRST DEPARTMENT.

County Court-house, Chambers street. Courts open from 10.15 A. M. to 4 P. M. Special Term, Part I. (motions), Room No. 12. Special Term, Part II. (ex-parte business), Room No. 15.

SUPREME COURT—SECOND DEPARTMENT.

Kings County Court-house, Borough of Brooklyn, N. Y. Courts open daily from 10 o'clock A. M. to 5 o'clock P. M.

CRIMINAL DIVISION—SUPREME COURT.

Building for Criminal Courts, Centre, Elm, White and Franklin streets. Court opens at 10.30 A. M.

COURT OF GENERAL SESSIONS.

Held in the building for Criminal Courts, Centre Elm, White and Franklin streets. Court opens at 10.30 o'clock A. 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. General Term, Part I.

COURT OF SPECIAL SESSIONS.

Building for Criminal Courts, Centre street, between Franklin and White streets, Borough of Manhattan. Court opens at 10 A. M.

CHILDREN'S COURT.

First Division—No. 66 Third avenue, Manhattan. Edmund C. Lee, Clerk.

CITY MAGISTRATES' COURT.

Courts open from 9 A. M. to 4 P. M. City Magistrates—ROBERT C. CORNELL, LEROY B. CRANE, CHARLES A. FLAMMER, CLARENCE W. MRADE, JOHN M. MOTT, JOSEPH POOL, JOHN E. MAYO, EDWARD HOGAN, PATER P. BARLOW, MATTHEW P. BRENN, SEWARD BAKER, ALFRED G. OMMEN, CHARLES S. WHITMAN, JOSEPH MOSS.

First District—No. 328 Adams street. Second District—Court and Butler streets. Third District—Myrtle and Vanderbilt avenues.

City Magistrates—MATTHEW J. SMITH, LUKE J. CONNORTON, EDMUND J. HEALY. First District—Long Island City.

MUNICIPAL COURTS.

Borough of Manhattan. First District—Third, Fifth and Eighth Wards, and all that part of the First Ward lying west of Broadway and Whitehall street, including Governor's Island, Bedloe's Island, Ellis Island, and the Oyster Islands.

Fourth District—Tenth and Seventeenth Wards. Court-room, No. 30 First street, corner Second avenue. Clerk's Office open daily from 9 A. M. to 4 P. M.

Seventh District—Nineteenth Ward. Court-room, No. 151 East Fifty-seventh street. Court opens every morning at 9 o'clock (except Sundays and legal holidays), and continues open to close of business.

Eighth District—Sixteenth and Twentieth Wards. Court-room, northwest corner of Twenty-third street and Eighth avenue. Court opens at 9 A. M. and continues open until close of business.

Ninth District—Twelfth Ward, except that portion thereof which lies west of the centre line of Lenox or Sixth avenue, and of the Harlem river north of the terminus of Lenox avenue.

Tenth District—The Tenth District embraces that portion of the Twenty-second Ward south of Seventh street, Court-room, No. 314 West Fifty-fourth street. Court opens daily (Sundays and legal holidays excepted) from 9 A. M. to 4 P. M.

Eleventh District—The Eleventh District embraces that portion of the Twelfth Ward which lies north of the centre line of West One Hundred and Tenth street, between Lenox avenue and Seventh avenue;

Twelfth District—The Twelfth District embraces that portion of the Twenty-second Ward north of Seventh street, and that portion of the Twelfth Ward which lies north of the centre line of Eighth-sixth street and west of the centre line of Seventh avenue and south of the centre line of One Hundred and Twentieth street, between Seventh avenue and Broadway;

Thirteenth District—South side of Delancey street, from East river to Pitt street; east side of Pitt street, Grand street, south side of Grand street to Norfolk street, east side of Norfolk street to Division street, south side of Division street to Catharine street, east side of Catharine street to East river.

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.

WILLIAM W. PENFIELD, Justice. THOMAS F. DELEHANTY, Clerk. Office hours from 9 A. M. to 5 P. M.; Saturdays, closing at 12 M.

Second District—Twenty-third and Twenty-fourth Wards, except the territory described in chapter 934 of the Laws of 1895. Court-room, corner Third avenue and One Hundred and Fifty-eighth street.

First District—Comprising First, Second, Third, Fourth, Fifth, Sixth, Tenth and Twelfth Wards of the Borough of Brooklyn. Court-house, northwest corner State and Court streets.

Second District—Seventh, Ninth, Eleventh, Twentieth, Twenty-first and Twenty-third Wards. Court-room located at No. 1217 Bedford avenue, Brooklyn. Calendar called at 10 o'clock A. M.

Fourth District—Twenty-fourth, Twenty-fifth, Twenty-sixth, Twenty-seventh and Twenty-eighth Wards. Court-room, No. 14 Howard avenue.

First District—First Ward (all of Long Island City, formerly composing five wards). Court-room, No. 46 Jackson avenue, Long Island City.

Second District—Second and Third Wards, which includes 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.

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

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

DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, SOUTHWEST CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education, until 3 o'clock P. M., on

FRIDAY, OCTOBER 31, 1904.

FOR FURNISHING AND DELIVERING GENERAL SUPPLIES, AS FOLLOWS: DOMESTIC SCIENCE, DRAWING, ELEMENTARY SCIENCE, JANITORS' KINDERGARTEN, MIMOGRAPH, MIMOGRAPH SUPPLIES, MISCELLANEOUS ARTICLES, NEOSTYLE SUPPLIES, PHYSICAL TRAINING, SCHOOL RECORDS, SEWING, STATIONERY, TYPEWRITING MACHINES, TYPEWRITING AND WORKSHOP SUPPLIES, ETC., FOR USE IN THE PUBLIC 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, 1905. The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

MONDAY, OCTOBER 17, 1904.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Buildings at the above office of the Department of Education, until 11 o'clock A. M., on

FEET SOUTH OF NEPTUNE AVENUE, BOROUGH OF BROOKLYN. The time of completion is 90 working days.

FOR INSTALLING ELECTRIC EQUIPMENT IN NEW PUBLIC SCHOOL 80, ON THE WEST SIDE OF WEST SEVENTEENTH STREET, 145 FEET WEST OF NEPTUNE AVENUE, BOROUGH OF BROOKLYN.

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

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Buildings at the above office of the Department of Education until 11 o'clock A. M., on

MONDAY, OCTOBER 17, 1904.

Borough of The Bronx. FOR INSTALLING ELECTRIC EQUIPMENT OF ADDITION TO AND ALTERATIONS IN PUBLIC SCHOOL 29, ON THE WEST SIDE OF TRINITY AVENUE, BETWEEN ONE HUNDRED AND THIRTY-FIFTH AND ONE HUNDRED AND THIRTY-SIXTH STREETS, BOROUGH OF THE BRONX.

FOR INSTALLING ELECTRIC EQUIPMENT IN NEW PUBLIC SCHOOL 39, ON THE NORTH SIDE OF LONGWOOD AVENUE, BETWEEN KELLY AND BECK STREETS, BOROUGH OF THE BRONX.

FOR FURNITURE FOR NEW PUBLIC SCHOOL 24, ON THE SOUTH SIDE OF ONE HUNDRED AND TWENTY-EIGHTH STREET, 60 FEET WEST OF MADISON AVENUE, BOROUGH OF MANHATTAN.

FOR INSTALLING HEATING AND VENTILATING APPARATUS FOR ADDITION TO AND ALTERATIONS IN PUBLIC SCHOOL 53, ON THE WEST SIDE OF ELM STREET, BETWEEN ATLANTIC AND CHICHESTER AVENUES, RICHMOND HILL, AND PUBLIC SCHOOL 54, ON THE EAST CORNER OF HILLSIDE AVENUE AND SHERMAN STREET, RICHMOND HILL, BOROUGH OF QUEENS.

FOR FURNISHING AND DELIVERING GENERAL SUPPLIES, AS FOLLOWS: DOMESTIC SCIENCE, DRAWING, ELEMENTARY SCIENCE, JANITORS' KINDERGARTEN, MIMOGRAPH, MIMOGRAPH SUPPLIES, MISCELLANEOUS ARTICLES, NEOSTYLE SUPPLIES, PHYSICAL TRAINING, SCHOOL RECORDS, SEWING, STATIONERY, TYPEWRITING MACHINES, TYPEWRITING AND WORKSHOP SUPPLIES, ETC., FOR USE IN THE PUBLIC SCHOOLS OF THE CITY OF NEW YORK.

DEPARTMENT OF EDUCATION, SOUTHWEST CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education, until 3 o'clock P. M., on

FRIDAY, OCTOBER 31, 1904.

FOR FURNISHING AND DELIVERING GENERAL SUPPLIES, AS FOLLOWS: DOMESTIC SCIENCE, DRAWING, ELEMENTARY SCIENCE, JANITORS' KINDERGARTEN, MIMOGRAPH, MIMOGRAPH SUPPLIES, MISCELLANEOUS ARTICLES, NEOSTYLE SUPPLIES, PHYSICAL TRAINING, SCHOOL RECORDS, SEWING, STATIONERY, TYPEWRITING MACHINES, TYPEWRITING AND WORKSHOP SUPPLIES, ETC., FOR USE IN THE PUBLIC SCHOOLS OF THE CITY OF NEW YORK.

FOR FURNISHING AND DELIVERING 600 PIPE HORSE COLLARS.

DEPARTMENT OF STREET CLEANING. MAIN OFFICE OF THE DEPARTMENT OF STREET CLEANING, ROOM 1421, NOS. 13-21 PARK ROW, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

