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THE CITY RECORD.

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GEORGE B. McCLELLAN, Mayor.

FRANCIS E. PENDLETON, Corporation Counsel.

HERMAN A. METZ, Comptroller.

PATRICK J. TRACY, Supervisor.

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PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT.

No. 154 NASSAU STREET, NEW YORK CITY.

CALENDAR OF HEARINGS.

The following hearings will be held during the remainder of the week beginning Monday, May 31, 1909:

TUESDAY, JUNE 1—2:30 p. m.—Room 310—Case No. 205—ELECTRIC LIGHT & POWER COMPANIES.—"General Investigation—Franchises."—Commissioner Maltbie.

2:30 p. m.—Room 310—Case No. 1097—NEW AMSTERDAM GAS CO. AND EAST RIVER GAS CO. OF L. I. CITY.—"Hearing, under Order No. 651, as to intercompany relationship, franchises and condition of property."—Commissioner Maltbie.

2:30 p. m.—Room 310—Case No. 1110—KINGS COUNTY LIGHTING CO.—"Application for approval of an issue of bonds of the par value of \$450,000."—Commissioner Maltbie.

2:30 p. m.—Room 305—Case No. 1109—CONEY ISLAND & BROOKLYN R. R. CO.—"Application for approval of an issue of additional bonds of the par value of \$372,000."—Commissioner Bassett.

3:30 p. m.—Room 305—Case No. 1111—SOUTH BROOKLYN RV. CO.—"Application to discontinue railroad station, Kensington Station, at Lott's Lane and Gravesend Avenue."—Commissioner McCarroll.

4:00 p. m.—Room 310—Case No. 1047—SECOND AVENUE R. R. CO., CENTRAL PARK, NORTH & EAST RIVER R. R. CO.—"Plans of fenders, wheelguards and safety devices used on surface cars operated in the Boroughs of Manhattan and The Bronx."—Commissioner Maltbie.—[N. R.—This hearing will be adjourned to Friday, June 4, 1909, at 2:30 p. m.]

THURSDAY, JUNE 3—11:30 a. m.—Room 305—CITY OF NEW YORK AND BRADLEY CONTRACTING CO.—"Arbitration (Nos. 2, 3 & 4) of determination of Henry B. Seaman, Chief Engineer."

FRIDAY, JUNE 4—2:30 p. m.—Chairman Willcox's Room—Case No. 121—INTERBOROUGH RAPID TRANSIT CO.—"Block signal system—Subway local cars."—Chairman Willcox.

2:30 p. m.—Room 310—Case No. 1047—SECOND AVENUE R. R. CO., CENTRAL PARK, NORTH & EAST RIVER R. R. CO.—"Plans of fenders, wheelguards and safety devices used on surface cars operated in the Boroughs of Manhattan and The Bronx."—Commissioner Maltbie.

2:30 p. m.—Room 305—Case No. 1105—NEW YORK CENTRAL & HUSSON RIVER R. R. CO.—"Discontinuance of the 183d Street Station in the Borough of The Bronx."—Commissioner Eustis.

4:00 p. m.—Room 305—Case No. 512—NEW YORK, NEW HAVEN & HARTFORD R. R. CO.—"Removal of engine house at Harlem River Yard."—Commissioner Eustis.

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

BOARD OF ESTIMATE AND APPORTIONMENT.

EXTRACT FROM

MINUTES, BOARD OF ESTIMATE AND APPORTIONMENT, CITY OF NEW YORK, MAY 28, 1909.

New York Centadrink Company.

In the matter of the consent granted to the New York Centadrink Company to install, maintain and operate automatic drinking water fountains under the stairs of the stations of the several elevated railroads within the Boroughs of Manhattan, Brooklyn and The Bronx, for the purpose of automatically vending carbonated water.

This consent was granted by resolution adopted by this Board April 16, 1909, approved by the Mayor April 19, 1909.

At the meeting of May 21, 1909, by resolution duly adopted, this day was fixed as the date for public hearing on the complaints received against the installation of such fountains.

The following appeared in opposition to the consent:

Edward M. Lauterbach, counsel on behalf of the newsdealers.

Dr. Abraham Stern, a representative of the United Real Estate and Property Owners' Association.

Michael Horan, a representative of the West Side Taxpayers' Association.

A representative of the Independence League.

A representative of Clarence J. Shearn, counsel for William Randolph Hearst, who presented certain petitions signed by eight thousand six hundred persons.

A representative of the Greater New York Taxpayers' Association.

The following appeared in favor:

Martin W. Littleton, counsel for the company; A. M. Sloss, president of the company.

Communications in favor were received from the following:

W. Warren Talley, George Mills, business secretary, Young Men's Christian Association; W. E. Dodd, Charles H. Townsend, director of New York Aquarium; Charles W. Dietrich, secretary, Central Branch, Young Men's Christian Association; William Peart, chief secretary, Salvation Army; Mrs. Thomas M. Dillingham, chairman, Fountain Committee, Woman's Municipal League; Mary Louise Powles, president, Woman's Christian Temperance Union, Westchester County; Helen J. Andrus, president, New York County Woman's Christian Temperance Union; H. A. Howarth, real estate agent, Long Island Railroad Company.

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

The Secretary presented the following:

Report No. F 115

BOARD OF ESTIMATE AND APPORTIONMENT, OFFICE OF THE CHIEF ENGINEER, May 24, 1909.

Hon. George B. McClellan, Mayor, Chairman of the Board of Estimate and Apportionment:

Sir.—At the meeting of May 21, 1909, the Board adopted a resolution fixing May 28, 1909, as the date for a public hearing on the complaints against the installation and maintenance of automatic drinking water fountains under the stairs of the several elevated railroads within the Boroughs of Manhattan, Brooklyn and The Bronx, at which time it was also understood that representatives of the New York Centadrink Company and others who might be in favor of the installation of such fountains would have an opportunity to be heard.

In this connection I beg to state that the Board on April 16, 1909, adopted a resolution granting to the New York Centadrink Company permission to install and operate drinking water fountains, section 13 of the consent providing that the company should within thirty days after approval by the Mayor of the resolution of the Board file with the Board of Estimate and Apportionment an instrument agreeing to conform with the requirements and conditions of the grant. The resolution of the Board was approved by the Mayor on April 19, 1909. Under date of April 21, the President of the company was advised of the action of the Mayor and was requested to execute and return to this office a form of acceptance. No reply having been received to this communication on May 4, the company was again communicated with and advised that if the certificate of acceptance was not received on or before May 19 the consent would lapse. No reply has been received to the latter communication up to this time.

It appears, therefore, that the contract with the New York Centadrink Company is null, and it is recommended that the Board of Estimate and Apportionment adopt a resolution rescinding its action of April 16, 1909.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY, May 22, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

Sir.—By resolution adopted by the Board of Estimate and Apportionment April 16, 1909, approved by the Mayor April 19, 1909, the New York Centadrink Company was granted permission to install, maintain and operate automatic drinking water fountains under the stairs of the stations of the several elevated railroads within the Boroughs of Manhattan, Brooklyn and The Bronx, for the purpose of automatically vending carbonated water.

Section 13 of the consent provided as follows:

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

Under date of April 21, 1909, I addressed a communication to Mr. A. M. Sloss, President of the New York Centadrink Company, advising him that the consent had been granted and had been approved by the Mayor on April 19, 1909. I also transmitted a form of certificate of acceptance, with the request that he have same executed and return to this office.

Not hearing from him by May 4, 1909, I again communicated with him, and advised him that if such certificate of acceptance was not received in this office on or before May 19, 1909, the consent would lapse, and I have, as yet, received no reply to either of the communications.

Under the terms and conditions of the consent, it is now inoperative and is null and void, and I would recommend that the Board adopt a resolution rescinding such consent, so as to keep the record clear in this respect, and I transmit herewith resolution carrying this recommendation into effect.

At the meeting of May 21, 1909, the Mayor presented a resolution which was adopted, fixing May 28, 1909, as the date for public hearing on the complaints against the installation and maintenance of these fountains and also fixed such day as the date when representatives of the New York Centadrink Company and others who might be in favor of the installation of such fountains, would have an opportunity to be heard. However, in view of the circumstances, and as the consent has lapsed, it will appear that the action recommended would be the most advisable in the premises.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Proposed Resolution.

Whereas, By resolution adopted by the Board of Estimate and Apportionment April 16, 1909, approved by the Mayor April 19, 1909, consent was granted to the New York Centadrink Company to install, maintain and operate automatic drinking water fountains under the stairs of the stations of the elevated railroad lines within the Boroughs of Manhattan, Brooklyn and The Bronx; and

Whereas, Section 15 of the consent provided as follows:

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

Whereas, A report has this day been received from the Engineer in charge of the Division of Franchises in the Chief Engineer, stating the New York Centadrink Company has failed to accept such consent as provided in the foregoing section thereof; now therefore be it

Resolved, That the resolution adopted by this Board April 16, 1909, approved by the Mayor April 19, 1909, be and it hereby is rescinded.

The matter was then referred to the Corporation Counsel to advise the Board of its rights and powers in the premises and the Secretary was directed to call his attention to the decisions in People ex rel. Pisanyausky vs. Keating, 168 N. Y., 390, also Hatchell vs. Straus, 189 N. Y., 28.

New York Central and Hudson River Railroad Company.

By resolution adopted May 21, 1909, the Corporation Counsel was requested to advise the Board at this meeting as to whether any substantial doubt existed as to the legal right of the said company to operate a railroad upon and along the right of way of the Hudson River Railroad Company, and, if so, as to what action should be taken in order to have the question of such right adjudicated and settled, if need be, in a court of last resort.

The Secretary presented the following:

CITY OF NEW YORK—LAW DEPARTMENT,
OFFICE OF THE CORPORATION COUNSEL,
NEW YORK, May 28, 1909.

Board of Estimate and Apportionment:

WHEREAS—I am in receipt of a communication from Joseph Haag, Secretary, dated May 21, 1909, and reading as follows:

"I transmit herewith certified copy of resolution this day adopted by the Board of Estimate and Apportionment relative to the right of the New York Central and Hudson River Railroad Company to use and occupy the right of way heretofore used and occupied in the former City of New York by the Hudson River Railroad Company, under and by virtue of chapter 216 of the Laws of 1846, or acts amendatory thereof.

"You are requested to advise the Board, in time for the meeting of May 28, 1909, as to whether there is any substantial doubt of the legal right of the New York Central and Hudson River Railroad Company to operate a railroad upon and along said right of way, and if so, what action should be taken in order to have the question of such right adjudicated in a court of last resort.

"If you desire the matter placed upon the calendar for the meeting of May 28 it will be necessary to have your opinion in this office not later than 4 p. m. Tuesday, May 25, as the calendar for said meeting closes on that date."

The resolution accompanying such letter reads as follows:

"Whereas, There is said to be some question as to the right of the New York Central and Hudson River Railroad Company to occupancy and use of the right of way heretofore occupied and used in the former City of New York by the Hudson River Railroad Company, under and by virtue of chapter 216 of the Laws of 1846, or of any act amendatory thereof; and

"Whereas, Such question, if any there be, is of so great importance to both the operating company and the City, as well as of so general public interest, as to call for judicial determination; therefore be it

"Resolved, That the Corporation Counsel be requested to advise this Board at its next meeting as to whether there be any substantial doubt as to the legal right of the said New York Central and Hudson River Railroad Company to operate a railroad upon and along said right of way, and if so, as to what action should be taken in order to have the question of such right adjudicated and settled if need be in a court of last resort."

The Hudson River Railroad Company was incorporated by special act of the Legislature, chapter 216 of the Laws of 1846. By this act it was provided among other things, as follows:

"Section 1. All persons who shall become stockholders pursuant to this act shall be and they are hereby constituted a body politic and corporate, by the name of 'The Hudson River Railroad Company,' with power to construct a single, double or triple railroad or way between the cities of New York and Albany, commencing in the city of New York, with the consent of the corporation of the city of New York, and passing through the counties of Westchester, Putnam, Dutchess, Columbia, and ending at some point on the Hudson river, in the county of Rensselaer, opposite the city of Albany, to be laid with an iron rail weighing not less than seventy pounds per lineal yard; with power to construct such branch or branches for depot and station accommodations as may be required for the business of said railroad; and to transport, take or carry any property and persons upon the same, by the power and force of steam, of animals, or of any mechanical or other power, or of any combination of them; for the term of fifty years from the passage of this act; it being expressly understood that nothing contained in this act shall authorize or allow the construction of a bridge across the Hudson river; but the said company may, with the consent of the corporation of the city of Albany, establish a ferry across the said river at Albany, for the accommodation of the business of the said railroad.

"Sec. 4. The said directors may locate their railroad on any of the streets or avenues of the city of New York westerly of and including the Eighth avenue and on or westerly of Hudson street, provided the assent of the corporation of said city be first obtained for such location."

"Sec. 13. The said corporation is hereby authorized to construct, erect, build and make and use a single, double or triple railroad or way, of suitable width and dimensions, to be determined by the said corporation, on the line, course or way designated by the directors as aforesaid as the line, course or way wherein to construct, build or make the same; and shall have power to regulate the time and manner in which goods and passengers shall be transported, taken and carried on the same, subject nevertheless to the control and direction of the legislature, or of any officer appointed by it for that purpose; and shall have power to erect and maintain toll houses and other buildings for the accommodation of their concerns, as they may deem suitable to their interests.

"Sec. 24. The said corporation shall possess the general powers and be subject to the general restrictions and liabilities prescribed by such parts of the third title of the eighteenth chapter of the first part of the revised statutes as are not repealed.

"Sec. 35. All the provisions of the act entitled 'An act in relation to the contracts of railroad companies,' passed May 12, 1845, shall be applicable to the company incorporated by this act.

"Sec. 36. The legislature may at any time alter or repeal this act."

After the passage of said Act and on the 30th day of April, 1847, the following resolution was adopted by the Board of Aldermen and the same was adopted by the Board of Assistants May 3, 1847, and approved by the Mayor May 6, 1847:

The Mayor, Aldermen and Commonalty of The City of New York, in Common Council convened, do ordain as follows:

Permission is hereby granted to the Hudson River Railroad Company to construct a double track of rails with suitable turnouts, along the line of the Hudson River, from Spuyten Duyvil Creek to near Sixty-eighth street, occupying an area of the Twelfth avenue at or near the shore, thence winding from the shore so as to intersect the Eleventh avenue at or near Thirtieth street; thence through the middle of the Eleventh avenue to about Thirty-second street; thence on a curve across to the Tenth avenue, intersecting the Tenth avenue at or near Thirtieth street; thence

through the middle of the Tenth avenue to West street, and thence through the middle of West street to Canal street.

The said Hudson River Railroad Company shall grade, regulate, pave and keep in repair a space twenty-five feet in width, in and about the tracks, and all the avenues and streets through which the said track or tracks shall be laid, whenever the Common Council shall deem the interest of the public to require such pavement to be done.

The said company shall lay such rail track through the avenues and streets in conformity to such directions as to line and grade as shall be given by the Street Commissioner, and shall conform their said railroad to the grades of the avenues and streets through which it shall extend, or cross, as shall be from time to time established by the Common Council, if the latter so require; and shall lay their rails or tracks, in the streets or avenues, in such manner as to cause no unnecessary impediment to the common and ordinary use of the street for all other purposes, and so to leave all the water courses free and unobstructed. It shall be especially incumbent on the said Hudson River Railroad Company, at their own cost, to construct stone bridges across such of the streets intersected by the railroad as may by the elevation of their grades above the surface of said roads be required to be arched or bridged, whenever in the opinion of the Common Council the same shall be necessary for public convenience, and also to make such embankments or excavations as the Common Council may deem necessary to render the passage over the railroad and embankments at the cross streets easy and convenient for all the purposes for which streets and roads are usually put to, and the said company shall also make, at their own cost and charge, all such drains and sewers as their embankments or excavations may, in the opinion of the Common Council, render necessary, and said company shall be at all times subject to such regulations, with reference to the convenience of public travel through such streets and avenues as are affected by the said railroad, as the Common Council shall, from time to time, by resolution or ordinance, direct, and the corporation hereby reserves the right to require said company, at any time after the Eleventh avenue shall be made to Fourteenth street, to take up their rails in the Tenth avenue and lay them in the Eleventh avenue to said Fourteenth street, and through Fourteenth street to connect with West street.

The said company shall, within one year from the passage of this ordinance, and before entering upon any contracts for grading, file in the office of the Street Commissioner a map showing the location and the intended grade of said railroad.

Permission is hereby granted to the Hudson River Railroad Company to run their locomotives as far south as Thirtieth street, and no further.

The said Hudson River Railroad Company shall be and are hereby prohibited from running a stated train between any points below Thirty-second street, for the carrying of passengers between these points, under the penalty of twenty-five dollars for each passenger from whom fare shall be received therefor.

This ordinance shall not be construed as binding upon the corporation, nor shall it go into effect until the said Hudson River Railroad Company shall first duly execute under their corporate seal such an instrument in writing, covenanting and engaging, on their part and behalf, to stand to, abide by and perform all such conditions and requirements contained in the second and third sections of this ordinance as the Mayor and Counsel to the corporation shall by their certificate approve, and not until such instrument shall be filed, so certified, in the office of the Comptroller of this City.

On the 12th day of August, 1847, the said Hudson River Railroad Company made, executed and delivered to the Mayor, Aldermen and Commonalty of The City of New York the following agreement:

To all to whom these presents shall come, Greeting:

Whereas, The Mayor, Aldermen and Commonalty of The City of New York, by an ordinance approved on the 6th day of May, A. D. 1847, gave consent to the Hudson River Railroad Company to commence in the City of New York and construct therein a double track of rails, with suitable turnouts, along the line therein mentioned, from Canal street in the Spuyten Duyvil Creek, and did, in and by said ordinance, assent to the location by the directors of said company of said railroad on and over the streets and avenues mentioned in said ordinance and crossed by said line; and

Whereas, Pursuant to said ordinance and the acts incorporating said company and amendatory thereof, the said directors have located the said railroads in the City of New York, according to the map prepared to be filed herewith, showing the location and intended grade of the Hudson River Railroad in the City of New York;

Now, know ye that the said the Hudson River Railroad Company, for themselves and their successors, do hereby, in the consideration of the premises, covenant and engage to and with the Mayor, Aldermen and Commonalty of The City of New York, and their successors, forever, to grade, regulate, pave and keep in repair a space of 25 feet in width in and about the tracks in all the avenues and streets through which the said track or tracks shall be laid, whenever the Common Council shall deem the interests of the public to require such pavement to be done.

And that the said company will lay such rail track through the avenues and streets in conformity to such directions as to line and grade as shall be given by the Street Commissioner, and shall conform their said railroad to the grades of the avenues and streets through which it shall extend or which it shall cross, as shall be from time to time established by the Common Council, if the latter so require.

And that said company will lay their rails or tracks in the streets or avenues in such manner as to cause no unnecessary impediment to the common and ordinary use of the streets for all other purposes, and so as to leave all the water courses free and unobstructed.

And, further, that said company will, at their own cost, construct stone bridges across such of the streets intersected by the said railroad as may, by the elevation of their grades above the surface of said road, require to be arched or bridged, whenever, in the opinion of the Common Council, the same shall be necessary for public convenience.

And also, that the said company will make such embankments or excavations as the Common Council may deem necessary, to render the passage over the said railroad and embankments at the cross streets easy and convenient for all purposes to which streets and roads are usually put.

And that the said company will also make at their own cost and charge, all such drains and sewers as their embankments or excavations may, in the opinion of the Common Council, render necessary.

And will at all times be subject to such regulations, with reference to the convenience of public travel through such streets and avenues as are affected by said railroad as the Common Council shall from time to time, by resolution or ordinance, direct.

And further, that, if therein required by the Corporation at any time after the Eleventh avenue shall be made to Fourteenth street, the said company will take up their rails in the Tenth avenue and lay them in the Eleventh avenue to said Fourteenth street, and through Fourteenth street to connect with West street.

And that the said company will, within one year from the passage of the said ordinance, and before entering upon any contracts for grading, file in the office of the Street Commissioner a map showing the location and intended grade of said railroad.

And lastly, that said company will stand to, abide by and perform, all and singular, the conditions and requirements contained in the second and third sections of the said ordinance.

In witness whereof, the said Hudson River Railroad Company have hereunto affixed the corporate seal this 12th day of August, A. D. 1847.

[It. s.]

WM. CHAMBERLAIN, President.

I, William V. Brady, Mayor of The City of New York, do hereby certify that I approve of the preceding covenant as being in compliance with the ordinance of the Corporation, approved May 6, 1847, referred to in said covenant.

WM. V. BRADY, Mayor.

I, Willis Hall, Counsel to the Corporation of The City of New York, do hereby certify that I approve of the preceding covenant, as being in compliance with the ordinance referred to in the above certificate.

WILLIS HALL, Counsel of Corporation.

City and County of New York:

On this nineteenth day of August, A. D. 1847, before me personally appeared William Chamberlain, known to me to be the President of the Hudson River Railroad Company; and, being by me duly sworn, did depose and say that he resides in the City of New York; that the seal thereto affixed is the seal of the said company, and that the same was affixed by their authority.

JOSEPH STRONG, Commissioner of Deeds.

And thereafter the following additional resolutions were adopted by the City authorities:

Resolved, That the market house and block of ground on which it stands, bounded by Washington and West streets and Canal and Hoboken streets, be leased to the Hudson River Railroad Company for a passenger depot, for the term of ten years from this 1st of May, 1849, at the rent of two thousand dollars per annum, payable quarterly; subject to a renewal for a further term of ten years, at a rent to be determined by two appraisers mutually chosen, with power to select a third, in case they cannot agree, said appraisers to be duly sworn before entering upon their duties.

Adopted by the Board of Assistants April 23, 1849.

Adopted by the Board of Aldermen April 30, 1849.

Approved by the Mayor May 3, 1849.

Resolved, That the Hudson River Railroad Company be authorized to lay down a double track of rails, with suitable curves and turnouts, from the northerly line of Canal street, at West street, through Canal and Hudson streets to Chambers street, under the direction of the Street Commissioner and subject to all the restrictions, obligations, provisions and conditions of the ordinance authorizing said company to lay down rails to Canal street.

Adopted by the Board of Aldermen August 1, 1849.

Adopted by the Board of Assistants September 24, 1849.

Approved by the Mayor September 25, 1849.

Petition of the Hudson River Railroad Company for a lease of the triangular piece of ground bounded by Canal, Hoboken and West streets, with the building thereon known as the Clinton Country Market, was granted for a term of ten years, at the annual rent of fifteen hundred dollars.

By the Board of Assistants December 6, 1849.

By the Board of Aldermen December 14, 1849.

Approved by the Acting Mayor December 19, 1849.

Resolved, That the Hudson River Railroad Company may extend one of their tracks around the Country Market (leased to them at foot of Canal street), with suitable curves and turnouts, under the direction of the Street Commissioner, so as to connect with the track on West and Canal streets, already constructed by them, subject to all the terms, conditions and restrictions of the annexed resolution, passed and approved as stated below (see resolution approved September 25, 1849).

Adopted by the Board of Aldermen December 24, 1849.

Adopted by the Board of Assistants December 28, 1849.

Approved by the Mayor January 7, 1850, 10 a. m.

Resolved, That the Hudson River Railroad Company have permission to run their dumb engine to Chambers street to test its power and probable safety for conducting their cars to Chambers street, under the direction of the Street Commissioner.

Adopted by the Board of Aldermen July 6, 1850.

Adopted by the Board of Assistants July 8, 1850.

Approved by the Mayor July 9, 1850.

Resolved, That the Hudson River Railroad Company be and are hereby required to remove the present high rail in use upon their road, from the corner of Chambers street and West Broadway, up to Fifty-third street, and to lay down instead thereof the rail known as the greased rail, and that the same be done within six months from the passage of this resolution by the Common Council.

Resolved, That the Hudson River Railroad Company be and they are hereby authorized and directed to place upon their road city passenger or small cars, to be run between the depot at Chambers street and Fifty-third street; to take up and set down city passengers between those points; to be governed by the general rules regulating the Eighth Avenue Railroad; and further, that they run a car thereon, each and every day, both ways, as often as every fifteen minutes, from 5 to 6 o'clock a. m., and every five minutes from 6 to 12 o'clock p. m., and every thirty minutes from 12 o'clock p. m. to 5 o'clock a. m., and as much oftener as public engagements may require, under the regulation of the Common Council; and that said company shall have the right to demand and receive from each passenger conveyed in said cars the sum of five (5) cents, and no more. The aforesaid cars to be placed and run upon said road within six months from the passage of this resolution by the Common Council. It being a special provision and understanding, in making this grant to the Hudson River Railroad Company, that the said company shall not at any time, either directly or indirectly, in any way alienate from themselves, as a company, or in any manner dispose of the right to run small cars upon their said road hereby granted, unless by consent of the Common Council, under the penalty of the forfeiture of this grant immediately thereon.

Resolved, That the Hudson River Railroad Company be and they are hereby directed to cease the running of locomotives or steam engines below Fifty-third street immediately upon the small cars being placed upon their road, in accordance with the foregoing resolution.

Resolution, December 13, 1850.

See pages 533-2 Corporation Ordinances, New York, Revised, 1859.

Resolved, That the Hudson River Railroad Company be directed to take up their rails and relay them, so that at the southwest corner of Tenth avenue and Thirtieth street they shall be distant from the angle of the curb at least twelve feet. Resolution, August 11, 1851.

In Common Council.

Resolved, That permission is hereby granted to the Hudson River Railroad Company to continue to run their locomotive into their passenger depot at Thirtieth street during the continuance of their charter.

Resolved, That permission is hereby granted to the Hudson River Railroad Company, during the continuance of their charter, to use "dummy engines" to draw their cars between their several passenger and freight stations, in the City of New York, upon condition that they pay in each year a license fee of fifty dollars for each of said engines used by them during that year, and to lay down such switches and turnouts at their several passenger and freight depots as are necessary for the convenient transaction of their business.

Resolved, That so much of the resolution adopted by the Board of Aldermen, November 22, 1858; by the Board of Councilmen, December 2, 1858, and approved by the Mayor, December 13, 1858, as relates to the running of locomotives or steam engines by the Hudson River Railroad Company, and the removing and laying down of rails in use, and to be used upon their road, be and the same is hereby annulled, rescinded and repealed.

Adopted by the Board of Councilmen, June 20, 1867.

Adopted by the Board of Aldermen, June 20, 1867, a majority of all the members elected voting in favor thereof.

Approved by the Mayor, June 22, 1867.

F. J. TWOMEY, Clerk of the Common Council.

Chapter 30, Laws of 1848, extended the power of the Hudson River Railroad to take land for the construction of the road, and by section 5 of said Act the company was empowered to alter its line in certain cases—

"Provided, however, and nothing in this section shall authorize the said company to make a new location of their track * * * if the same is in the city of New York, without the consent of the corporation of said city."

The Hudson River Railroad Company opened its road through its entire length from New York to East Albany, October 3, 1851.

The New York Central Company was organized under a special law passed April 2, 1853, authorizing the consolidation of certain railroads operated at various points between Albany and Buffalo.

On May 20, 1859, chapter 917, Laws of 1859, being an act entitled "An Act authorizing the consolidation of certain railroad companies," was passed. By this Act it was provided as follows:

Section 1. It shall and may be lawful for any railroad company or corporation organized under the laws of this state, or of this state and of any other state, and operating a railroad or bridge, either wholly or within, or partly within and partly without this state, to merge and consolidate its capital stock, franchises and property with the capital stock, franchises and property of any other railroad company or companies organized under the laws of this state, or under the laws of this state and any other state, or under the laws of any other state or states, whenever the two or more railroads or companies or corporations so to be consolidated shall or may form a continuous line of railroad with each other, or by means of any intervening railroad bridge or ferry.

Sec. 2. Said consolidation shall be made under the conditions, provisions and restrictions, and with the powers hereinafter of this act mentioned and contained, that is to say:

1. The directors of the companies proposing to consolidate may enter into a joint agreement under the corporate seal of such company for the consolidation of said companies and railroads and prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number and names of the directors and other officers thereof, and who shall be the first directors and officers, and their places of residence, the number of shares of the capital stock, the amount or par value of each share, and the manner of converting the capital stock of each of the said companies into that of the new corporation, and how and when directors and officers shall be chosen, with such other details as they shall deem necessary to perfect such new organization and the consolidation of said companies or railroads.

2. Said agreement shall be submitted to the stockholders of each of the said companies or corporations at a meeting thereof called separately for the purpose of taking the same into consideration; due notice of the time and place of holding said meeting, and the object thereof shall be given by such company to its stockholders by written or printed notices addressed to each of the persons in whose names the capital stock of such company stands on the books thereof, and delivered to such persons respectively or sent to them by mail when their post-office address is known to the company, at least thirty days before the time of holding such meeting, and also by a general notice published daily for at least four weeks in some newspaper printed in the city, town or county where such company has its principal office or place of business; and at the said meeting of stockholders the agreement of the said directors shall be considered, and a vote by ballot taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote, and said ballot shall be cast in person or by proxy and if two-thirds or all the votes of all the stockholders shall be for the adoption of said agreement, then that fact shall be certified thereon by the secretaries of the respective companies, under the seal thereof, and the agreement so adopted, or a certified copy thereof shall be filed in the office of the Secretary of State, and shall from thence be deemed and taken to be the agreement and act of consolidation of the said companies; and a copy of the said agreement and act of consolidation duly certified by the Secretary of State, under his official seal, shall be evidence in all courts and places of the existence of said new corporation, and that the foregoing provisions of this act have been fully observed and complied with.

Sec. 3. Upon the making and perfecting such agreement and act of consolidation as hereinbefore provided, and filing the same or a copy thereof in the office of the Secretary of State, as aforesaid, the said corporations, parties thereto, shall be deemed and taken to be one corporation by the name provided in said agreement and act, but such act of consolidation shall not release such new corporation from any of the restrictions, disabilities or duties of the several corporations so consolidated; but nothing in this act contained shall allow any rate of fare for way passengers greater than two cents per mile to be charged or taken over the track or tracks of that railroad now known as the New York Central Railroad Company; and the rate of fare for way passengers over the track or tracks now operated by the said New York Central Railroad Company shall continue to be two cents per mile and no more wherever it is now restricted in that rate of fare, but nothing herein contained shall apply to street railroads.

Sec. 4. Upon the consummation of said act of consolidation as aforesaid, all and singular the rights, privileges, exemptions and franchises of each of said corporations, parties to the same, and all the property, real, personal and mixed and all the debts due on whatever account to either of said corporations, as well as all stock subscriptions and other things in action belonging to either of said corporations shall be taken and deemed to be transferred to and vested in such new corporation, without further act or deed; and all claims, demands, property, rights of way and every other interest shall be as effectually the property of the new corporation as they were of the former corporations, parties to the said agreement and act; and the title to all real estate, taken by deed or otherwise, under the laws of this state, vested in either of such corporations, parties to said agreement and act, shall now be deemed to revert or be in any way impaired by reason of this act, or anything done by virtue thereof, but such shall be vested in the new corporation by virtue of such act of consolidation.

Sec. 5. All the provisions of the act entitled "An act to authorize the formation of railroad corporations, and to regulate the same" passed April second, eighteen hundred and fifty, and of the several acts amendatory thereto or in addition thereto, shall be applicable to the new corporation so to be formed as aforesaid, so far as the same are now applicable to the railroad companies of this State, which may be consolidated with any other company or companies by virtue of this act.

Sec. 6. No companies or corporations of this state whose railroads run in parallel or competing lines, shall be authorized by this act to merge or consolidate.

Sec. 7. This act shall take effect immediately.

Pursuant to this act, the Hudson River Railroad Company and the New York Central Railroad Company on September 5, 1859, executed an agreement to consolidate, which agreement was adopted by the stockholders of each company on November 1, 1859. By the terms of this agreement the consolidated corporation thereafter to be known as the New York Central and Hudson River Railroad Company, was to continue for five hundred years, although no express provision is made in such act for such extension.

As stated above, the corporate existence of the Hudson River Railroad Company was fixed by its charter (chapter 216, Laws 1846) at fifty years.

Chapter 240 of the Laws of 1874, provided:

"Section 5. The continuance of any railroad corporation now existing or hereafter to be formed under the laws of this state may be extended beyond the time named for that purpose in its act of incorporation or in the articles of association of such corporation, by the filing in the office of the Secretary of State a certificate of consent to such extension, signed by the holders, of two-thirds in amount of the stock held by the stockholders of such corporation, and in every case where such consent has been or shall be so filed, the term of existence of such corporation is hereby extended and declared to be extended for the period designated in such certificate, and each such corporation shall during the period named in such certificate possess and enjoy all the rights, privileges and franchises enjoyed or exercised by such corporation at the time such certificate was or shall be so filed."

No certificate of extension of the corporate existence of the New York Central and Hudson River Railroad Company, under the acts of 1866, 1867 or 1874, providing for the extension of corporate existence was ever filed by the Hudson River Railroad Company in the office of the Secretary of State. The corporate existence of the New York Central and Hudson River Railroad for five hundred years is based solely on the consolidation agreement made, as hereinbefore stated, September 5, 1859, and adopted by the stockholders of each company on November 1, 1859, a copy of which I attach to this communication.

Various attempts have been made by legislative enactment to remove the tracks laid and operated at grade in the streets of the City, under the consent or permission of the local authorities to the Hudson River Railroad Company, but so far, these attempts have been futile and ineffective, although it is conceded by all concerned that public safety and convenience require the removal of these tracks from the grade of the streets.

Under these circumstances the question arises—a question of great importance both to the City and the company—is the New York Central and Hudson River Railroad Company operating its cars on these tracks in the crowded streets of the City under franchise rights, or municipal assents, valid beyond all question or dispute? To answer this question requires a careful review of all that has been done in connection with these tracks since the passage of the original resolution permitting the Hudson River Railroad Company to put its tracks in the streets of the old City of New York, and the consideration of two points:

(1) Was the original consent a valid and binding consent on the City.

(2) Was the consent granted on the 30th day of April, 1847, to the Hudson River Railroad Company, whose corporate existence was fixed for a period of only fifty years, extended so as to give a perpetual right to the New York Central and Hudson River Railroad Company to operate these tracks by reason of the consolidation of the Hudson River Railroad Company with the New York Central Company.

under the title of the New York Central and Hudson River Railroad Company, pursuant to the provisions of the Act of 1869, and the agreement made thereunder.

The right to lay these tracks was questioned from the very beginning.

In *Drake and Others vs. The Hudson River Railroad Company*, 7 Barb., 508, decided December 18, 1849, it is stated:

"By an Act of the Legislature the Hudson River Railroad Company was authorized and empowered to construct a railway between the cities of New York and Albany, commencing in The City of New York, with the consent of the corporation of New York; and the directors were authorized to locate such railroad on any of the streets or avenues of The City of New York westerly of, and including the Eighth avenue, and on or westerly of Hudson street, provided the assent of the Mayor and Common Council should be first obtained for such location. The railroad company having, with the assent of the corporation of New York, located their railroad on and through certain streets of the City, within the district mentioned in the Act, and obtained permission from the Common Council to lay down a double track of rails from West street through Canal and Hudson streets to Chambers street; held that the Court would not interfere by injunction to prevent the railroad company from laying down its rails in those streets, and using the same for the purposes of their railroad upon the application of persons owning property bounded on such streets, alleging that the construction of the railroad through those streets was unauthorized by law and a nuisance; that their property would be injured and depreciated in value, and their business seriously affected thereby; and that real estate and property vested in them by law had been taken for the location and construction of such railroad without previously making them compensation therefor. A railroad is not *per se* a nuisance. Nor is the use of a street in a city, for a railroad track, in such a manner as to abridge or obstruct the right of passage and repassage for other purposes, such an exclusive appropriation of the street as to amount to a nuisance."

Jones, P. J., in his opinion says:

"The corporation of the city, as the owners of the legal title to the soil of the streets, if they be so, are the parties alone whose rights of property are violated or whose ownership may be said to be usurped, and who may claim the right to have the rails removed, or the use of the street vindicated and freed from the alleged encumbrance, or the proceedings of the company arrested until compensation shall be made for the grounds they occupy. The city corporation impute no wrong to the railroad company in their locating their railroad in those streets, and take no steps for the removal of the rails as having been laid down without authority. They acquiesce in the acts of the company and tacitly give their assent to the operation."

"Railroads are of recent introduction, but their great and acknowledged advantages over all other modes of travel and land carriage have gained for them a popularity which have brought them into extensive use and are constantly yet further extending their adoption. The actual existence of them in other cities, and the example of the Harlem Railroad in our own City, which has now been in successful operation for several years, under our own eyes, conclusively show that the use of them in the streets of a city, if properly guarded and regulated, is compatible with the trusts of public streets, and the simultaneous use of these streets by other carriages and vehicles, and for all the purposes in which public streets are dedicated. And the corporation, with a prudential care and regard to the rights and interests of the citizens, have passed an ordinance for the government and regulation of this railroad in the use of the streets wherein they are permitted to locate the same, to which the company are bound, and may be compelled, to conform. To the corporation application for relief against abuses of the privileges the defendants enjoy may at all times be made, and by that body all existing grievances, or future grievances, or grounds of complaint, capable of remedy or redress may, and, we trust, always will, receive early attention and the proper remedies be promptly applied."

See also

Greene vs. N. Y. C. & H. R. R. Co., 65 How. Pr., 154.

S. C. 12 Abbotts, N. C., 124.

It would appear, therefore, that the tracks were laid originally under the valid and binding consent of the City authorities, ratified and approved by the Courts.

The next question to be considered is whether such municipal consent was a perpetual right to operate these tracks in the streets, or whether it was limited to the actual life of the corporation to which it was granted. In *Beal vs. N. Y. C. & H. R. R. Co.*, 41 Hun, p. 172, it appeared that in 1835 the Utica and Schenectady Railroad Company, incorporated under chapter 294 of 1833, instituted proceedings under its charter to acquire lands then owned by the plaintiff, a minor, which resulted in the entry on May 9, 1836, of the final decree of the Court of Chancery required by the said act, which provided that upon recording of the said decree the corporation should be possessed of the lands for the purpose of the said road, and that it might enter upon and take possession of and use the same. The terms of the corporate existence of the company was fixed by the charter at fifty years, which term expired on April 28, 1883.

The Utica and Schenectady Railroad, after having entered into possession of the land, was, pursuant to an act of the Legislature, legally consolidated with other railroad companies into a corporation known as the New York Central Railroad Company, all the rights, franchises and interest of the old company being thereby transferred to and vested in the new company, the act expressly providing that the title and real estate acquired by the old company should not be deemed to revert or be impaired by means of such act of consolidation or anything relating thereto. Thereafter, by virtue of an act passed in 1869, which contains a similar provision regarding real estate, the New York Central Railroad Company was duly consolidated with the Hudson River Railroad Company under the name of the New York Central and Hudson River Railroad Company and the title to the said lands was thereby transferred to and vested in the defendant.

The plaintiff, claiming that the Utica and Schenectady Railroad Company only required an easement in the lands by the proceedings instituted under the Act of 1833, which terminated with the expiration of the fifty years to which its existence was by that act limited, brought this action of ejectment to recover the lands. Held that the action could not be maintained. That, as the power to at any time alter, modify or repeal the act of incorporation was expressly reserved by the act of 1833 to the Legislature, that body could extend the period of its corporate existence, or authorize its consolidation with other corporations, and authorize its successors to receive and hold its property and effects, including the premises in question, and to require and authorize them to be possessed of them for the purposes of a railroad and its use of the same.

This case was affirmed without opinion in 119 N. Y., 635.

In *Miner vs. N. Y. C. & H. R. R. Co.*, 46 Hun, 612, the estate acquired by the Tonawanda Railroad Company, in land appropriated to its use, as provided in the act incorporating it (chapter 241 of 1832), was a right to use the same, for the purposes of the railroad, for a period limited only by the time during which the defined public use should continue, and to terminate only when it ceased, although such period might extend beyond the prescribed term of the corporate existence of the company; and such right and interest were such that they might, by legislative assent, be transferred to a successor to continue the like use.

Held, the estate which the Tonawanda Railroad Company acquired in the lands appropriated to its use, under the provisions of the act incorporating it, has, by virtue of the provisions contained in chapter 236 of 1850, chapter 76 of 1853 and chapter 917 of 1869, passed to the New York Central and Hudson River Railroad Company, and the public use for which it was taken is, by the said acts, still continued.

This case was affirmed in 123 N. Y., p. 242, the Court of Appeals holding that by each of the various consolidation acts the franchises and property rights of the companies so consolidated were transferred to and vested in the new corporation, the Court saying:

"We are thus brought to the conclusion that the Legislature did not intend in the Act of 1832 to limit to the term of fifty years all easements acquired in lands thereunder, and that such easements, by the successive consolidation acts and agreements, became vested in the defendant."

In *Colgate vs. The N. Y. C. & H. R. R. Co.*, 51 Misc., 503, decided in the Supreme Court, Kings County, October, 1906, Kelly, J., writing the opinion, says:

"By its charter (L. 1846, ch. 216), which was subject to legislative alteration or repeal, the Hudson River Railroad Company, incorporated for a term of fifty years, was empowered to purchase and acquire title to lands in fee, and as to lands condemned, to become seized thereof in fee during the continuance of the corporation by its charter or any subsequent statute. In 1847 a sixty-six foot strip of land lying between plain-

tils' uplands and the Hudson River was for a valuable consideration conveyed to said company, its successors and assigns forever, for the purposes of a railroad, according to the true intent and meaning of said charter and subject to the provisions thereof, and an agreement executed at the same time, referring to said strip of land, provided that when the company should cease the land should revert to the grantor, his heirs and assigns. In 1869, pursuant to statutory authority (L. 1869, ch. 917), the said company was duly merged and consolidated with the New York Central Railroad Company into one corporation, the defendant herein, whose corporate existence was designated as five hundred years. In a suit by plaintiffs, as grantees of the common grantor and source of title, to enjoin the defendant from operating its railroad upon said sixty-six foot strip of land adjoining plaintiffs' premises in a residential portion of the City of Yonkers, from encroaching upon plaintiffs' land under water west of said strip of land, and from operating its railroad so as to constitute a nuisance, held:

"The Legislature did not intend, by virtue of the words of the charter, that the corporate life of the Hudson River Railroad Company should cease in 1896; but by the consolidation act of 1869, authorizing the formation and continuance of new corporate bodies by consolidation and merger of existing railroads, where the lines of road connected, the Legislature granted new life to the corporate franchise and extended its term.

"The deed to the Hudson River Railroad Company vests the title to the premises therein described in the consolidated corporation, during its corporate existence, so long as it shall use the land for the purposes for which it was granted."

In the case of *People vs. O'Brien*, 111 N. Y., 1, the Court of Appeals considered the effect of the dissolution of a railroad corporation on the rights it had acquired in the streets by the consent of the local authority.

In his opinion Judge Ruger says, p.

"It will be convenient in the first instance to consider the nature of the right acquired by the corporation under the grant of the Common Council, with respect to its terms of duration. This is to be determined by a consideration of the language of the grant and the extent of the interest which the grantor had authority to convey. We think this question has been decided by cases in this court, which are binding upon us as authority in favor of the perpetuity of such estates. That a corporation, although created for a limited period, may acquire title in fee to lands or property necessary for its use was decided in *Nicoll vs. New York & Erie Railroad Company* (12 N. Y., 121), where it was held that a railroad corporation, although created for a limited period only, might acquire such title, and that where no limitation or restriction upon the right conveyed was contained in the grant the grantee took all of the estate possessed by the grantor.

"The title to streets in New York is vested in the City in trust for the people of the State, but under the Constitution and statutes it had authority to convey such title as was necessary for the purpose to corporations desiring to acquire the same for use as a street railroad. The City had authority to limit the estate granted, either as to the extent of its use or the time of its enjoyment, and also had power to grant an interest in its streets for a public use in perpetuity, which should be irrevocable (Yates vs. Van De Bogert, 56 N. Y., 526; *In re Cable Co.*, *supra*).

"Grants similar in all material respects to the one in question have heretofore been before the courts of this State for construction, and it has been quite uniformly held that they vest the grantee with an interest in the street in perpetuity, for the purposes of a street railroad (*People vs. Sturtevant*, 9 N. Y., 263; *Davis vs. Mayor*, etc., 14 id., 506; *Milham vs. Sharp*, 27 id., 611; *Mayor*, etc., vs. *Second Ave. R. R. Co.*, 32 id., 261; *Sixth Ave. R. R. Co. vs. Kerr*, 72 id., 330)."

While from the foregoing citations it appears much may be said in favor of the contention made by the company that it possesses a perpetual franchise in the streets of the City, or a franchise for five hundred years, which amounts to the same thing, it is not entirely clear that such a right exists.

The decision of the United States Supreme Court in *Blair vs. Chicago*, 201 U. S., 400, rendered April, 1906, enunciates the principle that there is no presumption of perpetuity in the grant of a franchise, and when a grant from a municipality is made to a corporation incorporated for a limited term of years it is presumed that the franchise was intended to last for that term of years.

It is clear that the franchise from the State to the Hudson River Railroad Company to place its tracks in the streets of the City could only become operative, under the Act of 1846, by and with the consent of the City. The Act of 1846 meant to give control to the municipal authorities over the operation of the railroad in the streets. That is the settled policy of this State in regard to railroads and other public service corporations using the streets of the City.

I am of the opinion that it by no means necessarily follows that the consolidation of the Hudson River Railroad and the New York Central Railroad under the Act of 1869, because it may have extended the life of the Hudson River Railroad Company, vested in the New York Central and Hudson River Railroad the consent of the municipality for a period beyond the unexpired portion of the fifty years, the original term of the corporate existence of the said Hudson River Railroad Company, and that if it did not, then in that event on the expiration of this period in 1896 the New York Central and Hudson River Railroad Company was bound to apply for the consent of the municipal authorities for a further period, subject to such terms and conditions as the growth and development of the City then made necessary or advisable.

The grants of easements or rights in real estate so specifically and definitely referred to in the Act of 1869 may be distinguished or differentiated from the consent given by a resolution or ordinance of the Municipal authorities. The extreme doctrine laid down by the Court in *People vs. O'Brien* was unnecessary to the decision of that case, there is a substantial difference in the facts and it does not necessarily follow that the rule will be applied to the situation presented here. It is not at all clear that the Legislature by the Consolidation Act of 1869, intended to deprive the City authorities of such control over the railroad company, as changed conditions might render necessary.

The extension of the consent from fifty years, the life of the old company, to five hundred years, the life of the new company, was clearly without the Municipal consent, and deprived the City of the right to exercise that control it was intended it should possess. Applying the well recognized rule that franchises are construed most strongly in favor of the public and as against the grantee, I am of the opinion that it cannot be successfully maintained that the act of 1869 contains a clear expression of legislative intention to extend the franchise of the Hudson River Railroad Company to use the streets without the assent of the City for the long period of five hundred years, or in perpetuity.

To quote the language of Mr. Justice Day in *Blair vs. Chicago*:

"So enormous a grant of privilege *** ought not to be presumed or held to be conferred in doubtful or ambiguous words. Grants of this character are not to be destroyed by an unreasonable or narrow interpretation. But if ambiguity is fatal to such claim of rights as against the public, for the stronger reason, must such grants of far reaching and exclusive privileges as are here asserted fail when they can only be maintained by strained construction in their favor ***. It may be that the very ambiguity of the act was the means of securing its passage."

Any doubt on the subject of what the Legislature intended by the Act of 1869 should be resolved in favor of the public.

The question is, as your resolution states, "of so great importance to both the operating company and the City, as well as of so general public interest as to call for judicial determination."

Therefore, to raise the question so that it may be so judicially determined as speedily as possible, I advise you to instruct the Borough President to at once give notice to the company to remove its tracks from the streets on the West Side within thirty days from the receipt of such notice, and on failure so to do, the Borough President will immediately proceed to tear up said tracks and remove them from the streets, and the expense of such removal and of the restoration of said streets to their former condition will be charged against the company.

I will do all that lies in my power to facilitate the speedy hearing and final determination of this important question, as I am satisfied, in view of all that has taken place, that no satisfactory solution by municipal action or legislative relief can be arrived at until it is first determined beyond all civil or dispute that the New York Central and Hudson River Railroad Company has or has not a valid and subsisting franchise to maintain its tracks and operate its railroad in the streets under the resolution or ordinance of 1847, and those subsequently adopted, granting the municipal consent for the use of the streets to the Hudson River Railroad Company.

Respectfully,

F. K. PENDLETON, Corporation Counsel.

CONSOLIDATION OF THE NEW YORK CENTRAL AND HUDSON RIVER RAILROAD,
NOVEMBER 1, 1869.

Agreement of consolidation made the 15th day of September, in the year 1869, between "The New York Central Railroad Company," party of the first part, and "The Hudson River Railroad Company," party of the second part.

Whereas, By an "Act of the Legislature of the State of New York entitled 'An act authorizing the consolidation of certain railroad companies,' passed May 20, 1869," the said companies are authorized to merge and consolidate their several capital stocks, franchises and properties into one corporation; and

Whereas, It is believed that such consolidation will be of advantage to the stockholders of said companies and to the interest of the State;

Now, therefore, this agreement witnesseth, that in pursuance of the said act of the Legislature, the parties hereto do hereby prescribe the following terms and conditions of such consolidation, and do respectfully agree thereto, and to the mode of carrying the same into effect as herein provided:

ARTICLE I.

The said companies do hereby agree to merge and consolidate, and do hereby constitute and form one corporation, by the name of "The New York Central and Hudson River Railroad Company." Said corporation shall continue for the term of five hundred years.

ARTICLE II.

The number of the directors of the new corporation shall be thirteen, and the following named persons shall constitute the first board of directors, viz.:

Cornelius Vanderbilt, of New York; Chester W. Chapin, of Springfield, Mass.; Augustus Schell, of New York; Daniel Torrance, of Albany; H. H. Baxter, of New York; William H. Vanderbilt, of New York; Horace F. Clark, of New York; James H. Banker, of New York; Wm. A. Kissam, of New York; George J. Whitney, of Rochester, N. Y.; Joseph Harker, of New York; Samuel F. Barger, of New York; Samuel Barton, of New York.

Said directors shall hold office as such until the first Wednesday of June, 1870, and until their successors shall be chosen.

ARTICLE III.

The following named persons shall be the first officers of the new corporation, and shall hold their respective offices until others shall be appointed in their places by the board of directors:

Cornelius Vanderbilt, President; William H. Vanderbilt, Vice-President; Edwin D. Worcester, Treasurer; Augustus Schell, Secretary.

ARTICLE IV.

There shall be an annual election for directors of the new corporation on the first Wednesday of June in each year. Such election shall be held at such place as shall be prescribed by the Board of Directors.

The said directors shall be chosen by a majority of the votes of the stockholders voting at such election in such manner as may be prescribed in the by-laws of the corporation, and they shall continue to be directors until others are elected in their places.

In the election of directors each stockholder shall be entitled to one vote, either in person or by proxy, for each share of stock held by such stockholder for thirty days previous to any such election. Vacancies in the board of directors shall be filled in such manner as shall be prescribed by the by-laws of the corporation.

ARTICLE V.

The capital stock of the new corporation to be now issued shall be forty-five millions of dollars, and the authorized number of shares of said capital stock shall be four hundred and fifty thousand. The amount or par of each share shall be one hundred dollars. Two hundred and eighty-seven thousand nine hundred and fifty of said shares shall be forthwith issued to the holders of the capital stock of the said "The New York Central Railroad Company," on the surrender of their stock certificates, in exchange for the shares of stock of said company held by them, share for share; and one hundred and sixty thousand two hundred and eight of said shares shall be also forthwith issued to the holders of the capital stock of the Hudson River Railroad Company, on the surrender of their stock certificates, in exchange for the shares of stock of said company held by them, share for share. The said capital stock may at any time, at the option of the board of directors of the consolidated company, be increased to an amount sufficient to capitalize at par the interest certificates hereinbefore issued by the New York Central Railroad Company, under the resolution of the board of directors of said company, passed December 19, 1868; and also the consolidation certificates authorized to be issued in pursuance of this agreement.

No further or other issue of shares of capital stock beyond the amount necessary for the capitalization of the said interest and consolidation certificates shall be made, unless such increase shall be first authorized and approved by two-thirds in amount of all the stockholders of such consolidated company. Such increase must be first sanctioned by a vote in person, or by proxy, of two-thirds in amount of all the stockholders of the consolidated company, at a meeting of such stockholders called by the directors of the company for that purpose, by a written or printed notice to each stockholder, to be served on him personally, or by depositing the same (properly folded and addressed to him at the post office nearest his usual place of residence), in the post office at least twenty days prior to such meeting.

Such notice must state the time and place of the meeting and its object, and the amount to which it is proposed to increase the capital stock. The proceedings of such meeting of stockholders must be entered in the minutes of the proceedings of the board of directors of said company, and thereupon the capital stock may be increased to the amount sanctioned by such vote of the stockholders of the company, and for the purposes authorized by such vote, and none other.

ARTICLE VI.

All the bound or other indebtedness of either of said corporations, including such portions of such indebtedness as may be secured by mortgage or otherwise, and all agreements made by the said corporations or either of them, including especially the debt certificates issued by the New York Central Railroad Company in pursuance of the consolidation agreement of May 17, 1853; and also the interest certificates issued by the said New York Central Railroad Company, in pursuance of a resolution of the board of directors of said company, passed December 19, 1868, are hereby declared to be valid and binding on the new corporation, and are assumed by and are to be paid and performed by the said new corporation according to the terms, tenor and effect thereof.

ARTICLE VII.

For the purpose of equalizing the values of the property of said consolidating companies and making compensation to the stockholders of said companies, respectively, for all differences in such values, the parties hereto do further agree that there shall be issued to the stockholders of the said companies certificates, to be called consolidation certificates, and which shall provide that the same shall be payable rateably, at the pleasure of the company, out of its future earnings, and that until the same be wholly paid off and redeemed, dividends upon the amount thereof shall be paid at the same rates and times as dividends shall be paid upon the shares of the capital stock.

Such consolidation certificates shall be issued for such purpose of equalization, as follows, viz.:

First—To the stockholders of the New York Central Railroad Company there shall be issued consolidation certificates for twenty-seven per cent, or twenty-seven dollars on each one hundred dollars, of the capital stock of said company.

Second—To the stockholders of the Hudson River Railroad Company there shall be issued consolidation certificates for eighty-five per cent, or eighty-five dollars on each one hundred dollars of the capital stock of said company.

For the further purpose of such equalization there shall be retained out of the assets of the New York Central Railroad Company the sum of five hundred and eighteen thousand three hundred and ten dollars, which sum shall be distributed

rateably among the holders of the stock certificates and the holders of the interest certificates of the New York Central Railroad Company, at the time of the exchange of stock certificates, after the perfection of the consolidation, as herein provided. The twenty-seven per cent. in consolidation certificates herein provided, being the compensation to the stockholders of the New York Central Railroad Company, both in respect to their stock and their interest certificates for eighty per cent. of the par of such stock heretofore issued to the stockholders of said company, in respect to such stock, it is understood and agreed that each stockholder of the New York Central Railroad Company shall, at the time he shall receive his consolidation certificate of twenty-seven per cent., produce the interest certificate for eighty per cent. upon the par thereof corresponding thereto, to the end that the delivery of the consolidation certificate may be noted and receipted for, both upon the stock certificate and the interest certificate; and in the event that any interest certificates shall have been separated from the corresponding stock certificate, the holder of the stock certificate shall not be entitled to receive the consolidation certificate for twenty-seven per cent. until he shall produce for the purpose of notation and receipt hereinbefore provided interest certificates to the amount of eighty per cent. upon the par amount of the stock, but in case such stockholder shall be unable to produce such corresponding interest certificate he shall only be entitled to receive consolidation certificates for fifteen per cent. on the par of the stock so produced; and the holder of the corresponding interest certificate shall, when producing the same and receipting therefor, be entitled to a consolidation certificate for the residue, being fifteen per cent. on the amount of such interest certificate.

ARTICLE VIII.

It is further agreed that the consolidated company may at its option, at any time, convert the amount of the consolidation certificates issued in pursuance of the preceding article into capital stock at par, and that such consolidation certificates may be transferred in any sums on the books of the company by the holder thereof, either in person or by attorney on the surrender of the certificate.

And it is further agreed that the consolidated company may, from time to time, invest its surplus moneys in the said consolidation certificates, by purchase thereof in the market.

ARTICLE IX.

It is further agreed that the outstanding interest certificates, issued by the New York Central Railroad Company, in pursuance of the resolution of said company, passed December 19, 1868, may at the option of the holders thereof, be converted into or exchanged for certificates of the same, tenor and effect as the consolidation certificates, the issue whereof is hereinbefore provided for, and that the consolidation certificates which may be thus issued in exchange for said interest certificates, may at any time at the option of said consolidated company, be converted into capital stock at par, as provided for by the article hereinbefore contained, fixing the amount of the capital stock of the consolidated company.

ARTICLE X.

It is further agreed that the Board of Directors of said consolidated company may make and establish such by-laws, rules and regulations as shall from time to time appear necessary for the good government of the corporation, for the security of the public in respect to their dealings in its stock and securities, and in general for the preservation and proper administration of the property, interest and affairs of the company.

[SEAL.] THE NEW YORK CENTRAL RAILROAD COMPANY.

D. TORRANCE, Vice-President.

RICHARD W. ROGERS, Secretary.

State of New York, City and County of Albany, sc.:

On this twenty-second day of September, one thousand eight hundred and sixty-nine, before me personally came Daniel Torrance, Vice-President of the New York Central Railroad Company, to me personally known, who being by me duly sworn, did depose and say, that he resides in the City of Albany, that he is the Vice-President of the New York Central Railroad Company, that the seal affixed to the foregoing agreement, and purporting to be the corporate seal of the said company is known to him to be such corporate seal, and was so affixed by order of the Board of Directors of said company, and that by the like order and authority he signed the same as Vice-President as aforesaid.

[SEAL.] J. STERNBERGH, Notary Public.

[SEAL.] THE HUDSON RIVER RAILROAD COMPANY.

By WM. H. VANDERBILT, Vice-President.

Augustus Schell, Secretary.

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

On this 23d day of September, A. D. 1869, before me personally came Wm. H. Vanderbilt, to me known, who being by me duly sworn, did depose and say, that he resides in the City and County of New York, that he is the Vice-President of the Hudson River Railroad Company, that he knows the corporate seal of said company, that the seal affixed to the foregoing instrument is such seal, that it was affixed by authority of the Board of Directors, and that he signed his name thereto as Vice-President by like authority.

I. P. CHAMBERS, Notary Public, New York City.

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

I, Jacob Sternbergh, secretary of the New York Central Railroad Company, do hereby certify that a meeting of the stockholders of the New York Central Railroad Company was held at the office of the company, in the "Exchange," in the City of Albany, on the 1st day of November, A. D. 1869, called by the directors of said company by resolution passed on the 23d day of September, 1869, for the purpose of considering the within agreement, dated the 15th day of September, A. D. 1869, entered into between the directors of said company and the directors of the Hudson River Railroad Company, under the corporate seals of each of said companies, for the consolidation of said companies and railroads.

And I do further certify that the notice of the time and place of holding said meeting, and the object thereof, was given to all the stockholders of said company by sending by mail a printed notice addressed to each of the persons in whose names capital stock of said company stood on the books thereof on said 23d day of September, 1869, at their known post office address, and preparing the postage thereon, more than thirty days before the time fixed for holding such meeting, and that a general notice of the time and place of holding said meeting, and the object thereof, was published daily for four weeks before the time fixed for holding such meeting in the "Argus," a newspaper published in the City of Albany, where the said company has its principal office or place of business.

And I do further certify that at said meeting of stockholders the said agreement of said directors of the New York Central Railroad Company with the directors of the Hudson River Railroad Company for the consolidation of said companies and railroads was considered, and a vote by ballot was taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote, and the ballots were cast by the stockholders, either in person or by proxy.

And I do further certify that the holders of two hundred and thirty-five thousand three hundred and sixty-nine shares of the capital stock of said company voted for the adoption of said agreement, and that more than two-thirds of all the votes of all the stockholders of the New York Central Railroad Company voted in favor of the adoption of said agreement.

In witness whereof, I, Jacob Sternbergh, secretary of the said New York Central Railroad Company, have hereto affixed my signature and the seal of the said company, at the City of Albany, this 1st day of November, in the year of our Lord one thousand eight hundred and sixty-nine.

[SEAL.] JACOB STERNBERGH, Secretary of the New York Central Railroad Company.

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

I, Augustus Schell, secretary of the Hudson River Railroad Company, do hereby certify that a meeting of the stockholders of the Hudson River Railroad Company was held at the office of the company, No. 470 West Thirtieth street, in The City of New York, on the 1st day of November, A. D. 1869, called by the directors of said company by resolution passed on the 23d day of September, 1869, for the purpose of considering the within agreement, dated the 15th day of September, A. D. 1869, entered into between the directors of said company and the directors of the New

York Central Railroad Company, under the corporate seals of each of said companies, for the consolidation of said companies and railroads.

And I do further certify that the notice of the time and place of holding said meeting, and the object thereof, was given to all the stockholders of said company by sending by mail a printed notice addressed to each of the persons in whose names capital stock of said company stood on the books thereof on said 23d day of September, 1899, at their known post office address, and preparing the postage thereon, more than thirty days before the time fixed for holding such meeting, and that a general notice of the time and place of holding said meeting, and the object thereof, was published daily for four weeks before the time fixed for holding such meeting in the "New York Times," a newspaper published in The City of New York, where the said company has its principal office or place of business.

And I do further certify that at the said meeting of stockholders the said agreement of said directors of the Hudson River Railroad Company with the directors of the New York Central Railroad Company for the consolidation of said companies and railroads was considered, and a vote by ballot was taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote, and the ballots were cast by the stockholders either in person or by proxy.

And I do further certify that the holders of one hundred and thirty-nine thousand seven hundred and twenty-one shares of the capital stock of said company voted for the adoption of said agreement, and that more than two-thirds of all the votes of all the stockholders of the Hudson River Railroad Company voted in favor of the adoption of said agreement.

In witness whereof, I, Augustus Schell, secretary of the said the Hudson River Railroad Company, have hereunto affixed my signature and the seal of the said company, at The City of New York, the 1st day of November, in the year of our Lord one thousand eight hundred and sixtynine.

ISSEAL!

AUGUSTUS SCHELL,
Secretary of the Hudson River Railroad Company.

State of New York, Office of the Secretary of State, ss.:

I have compared the preceding with the original articles of agreement and consolidation between "The New York Central Railroad Company" and "The Hudson River Railroad Company," with affidavits and certificates thereto annexed, filed and recorded in this office on the 1st day of November, 1899, and hereby certify the same to be a correct transcript therefrom and of the whole of said original.

Witness my hand and the seal of office of the Secretary of State, at the City of Albany, the 8th day of April, one thousand eight hundred and seventy-four.

ISSEAL!

EDWARD WILLIAMS, Jr., Secretary of State.

The following was offered:

Resolved, That the Borough President be and he is hereby directed and required to forthwith serve notice on the New York Central and Hudson River Railroad Company to remove, within thirty (30) days from the service of said notice, all its tracks, turnouts and connecting tracks along the line of the Hudson River, from Spuyten Duyvil Creek to near Sixty-eighth street, occupying as much of the Twelfth avenue as lies along the shore, those winding from the shore so as to intersect the Eleventh avenue at or near Sixtieth street, thence through the middle of the Eleventh avenue to about Thirty-second street, thence on a curve across to the Tenth avenue, intersecting the Tenth avenue at or near Thirtieth street, thence through the middle of the Tenth avenue to West street, and thence through the middle of West street to Canal street, which tracks, turnouts and connecting tracks were laid in the said streets under the resolution or ordinance adopted by the Board of Aldermen April 30, 1847, adopted by the Board of Assessors May 3, 1847, and approved by the Mayor May 6, 1847, granting permission to the Hudson River Railroad Company to construct said tracks thereon, and which tracks are now operated by the New York Central and Hudson River Railroad Company, the operation of said tracks by the said New York Central and Hudson River Railroad being illegal and unauthorized and said tracks constituting an unwarranted and illegal obstruction or impediment to the safe and orderly use of said streets.

Resolved, That, on the failure of the said New York Central and Hudson River Railroad Company to remove the said tracks, turnouts and connecting tracks within thirty (30) days from the service of said notice on the said company, the said Borough President is hereby directed, authorized and empowered to remove said tracks from said streets, and the expense of such removal and of the restoration of said streets to their former condition will be charged against said company.

Resolved, That the notice hereby required to be so served by the Borough President be referred by the Corporation Counsel and served under his direction.

Which was adopted by the following vote:

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

Coney Island and Brooklyn Railroad Company

In the matter of the application of the Coney Island and Brooklyn Railroad Company, requesting this Board to amend the resolution adopted January 18, 1907, ordering this company to change the location of its tracks on Coney Island avenue, between Fort Hamilton and Neptune avenues, Borough of Brooklyn, from the side to the centre of said avenue.

This application was presented to the Board at its meeting of June 26, 1908, and was referred to the Chief Engineer, and is printed in full in the minutes of that date.

At the meeting of November 13, 1908, the matter was referred to a Select Committee, consisting of the President of the Board of Aldermen, the Comptroller and the President of the Borough of Brooklyn.

The Secretary presented the following:

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
NEW YORK, May 20, 1909.

Hon. George R. McCULLAGH, Mayor, Chairman of the Board of Estimate and Appportionment.

Sir—At the meeting of the Board of Estimate and Appportionment held on November 13, 1908, a petition of the Coney Island and Brooklyn Railroad Company, dated June 24, 1908, asking for the amendment of a resolution adopted by the Board of Estimate and Appportionment on January 18, 1907, relative to the location of the tracks of the said company in Coney Island avenue, by permitting the company to place its tracks in the centre of the street and making certain changes in the curb lines and the location of the sidewalks, was referred to a Committee consisting of the President of the Board of Aldermen, the Comptroller and the President of the Borough of Brooklyn.

A majority of your Committee begs to submit the following report:

The action of the Board of Estimate and Appportionment taken on January 18, 1907, was pursuant to the provisions of Chapter 610 of the Laws of 1906, the Coney Island and Brooklyn Railroad Company having obtained by a court proceeding such title to the central portion of Coney Island avenue as it formerly had to the space now occupied by its tracks on the westerly side of the roadway of the said street, and the President of the Borough of Brooklyn having after fourteen days' notice to the railroad company and the owners of the property decided that the location of the tracks should be changed. The resolution of the Board was in the form of an order reading as follows:

"Ordered, by the Board of Estimate and Appportionment of The City of New York, that the right of way or route and the location of the railroad tracks of the Coney Island and Brooklyn Railroad Company on Coney Island avenue, between Fort Hamilton and Neptune avenue, Borough of Brooklyn, be changed from the present

location of the said route or right-of-way and railroad tracks on the westerly side of Coney Island avenue to the centre of the said avenue."

The petition of the railroad company of June 24, 1908, asked that this resolution or order be amended by adding thereto two resolutions providing that the central portion of the roadway to be occupied by the tracks for a width of 24 feet be curbed in, that a roadway 23 feet in width on each side of the avenue be paved, and that the sidewalk be reduced in width from 25 to 15 feet by setting back the curb 10 feet, the space occupied by the railroad company to be maintained in grass, and the work of setting back the curbs and relaying the sidewalks to be borne by the company.

There appears to be a difference of opinion on the part of the abutting property owners as to the desirability of such an arrangement of tracks and roadways. The representatives of one of the largest property owners has suggested to the committee that the Board, if it adopts the resolution requested, provide that the company shall begin the work forthwith and complete it in a reasonable time, that it will make crossings at every street required, that it will move the roadway and sidewalk at its own expense, that the railroad company will run its road as a regular surface line, stopping at all crossings necessary for the accommodation of passengers, and that it will keep the grass and the portion of the street occupied by the tracks in condition satisfactory to the Park Department, and that in the event of its failure to do so the Park Department will have the work done at the expense of the railroad company. To these stipulations the company has agreed.

A majority of your committee believes that this treatment of Coney Island avenue will not be detrimental to the abutting property, but that, on the contrary, it will add to its value, will make the street much more attractive, will render travel far safer, and at the same time will permit of a transportation service superior to that which is or which can be given on any street where the surface cars occupy the same space as ordinary vehicles, and we would recommend the adoption of the accompanying resolution amending the order of the Board of Estimate and Appportionment of January 18, 1907.

Respectfully,

TIMOTHY P. SULLIVAN, Acting President, Board of Aldermen.

JNO. H. McCOOEY, Deputy Comptroller.

Proposed Resolution.

Resolved, That the resolution or order adopted by the Board of Estimate and Appportionment on January 18, 1907, relative to the change in the location of the tracks of the Coney Island and Brooklyn Railroad Company on Coney Island avenue, in the Borough of Brooklyn, be amended by adding thereto the following:

Resolved, That the tracks of the Coney Island and Brooklyn Railroad Company in the centre of Coney Island avenue shall be located in a space twenty-four (24) feet in width between the outer edges of the curbing bounding the said space and separating it from the carriageways; that two carriageways each twenty-three (23) feet in width shall be paved with such pavement as may be designated in a resolution authorizing their improvement; and that at intersecting streets the railroad company shall pave a space to the width of twenty-four (24) feet with such pavement, on a concrete foundation, as the President of the Borough may direct; and be it

Resolved, That the sidewalks on the easterly and westerly sides of the avenue be reduced from twenty-five (25) feet to fifteen (15) feet in width, and the expense of setting back the curb and of the laying of new sidewalks in place of those disturbed shall be borne by the Coney Island and Brooklyn Railroad Company; and be it further

Resolved, That the work of changing the tracks and the other work to be done by the railroad company shall be commenced within ten days after the issue of a permit therefor by the Borough President, and shall be completed within twelve months thereafter unless the time for completion shall be extended by the Board of Estimate and Appportionment; that no fence or other obstruction except the curbing shall be placed along the space occupied by railroad tracks; that the railroad company will operate its line as a regular surface line, stopping at all crossings necessary for passengers to enter or leave its cars; and that the area within the curbing of the 24 foot space occupied by the tracks shall be maintained in grass by the railroad company in a condition satisfactory to the Department of Parks, and in case of failure to so maintain it, the Department of Parks shall have the right to do such work as may be necessary at the expense of the railroad company.

May 21, 1909.

THE CITY OF NEW YORK,

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN,

BROOKLYN, May 24, 1909.

The Honorable the Board of Estimate and Appportionment.

GENTLEMEN—As a member of the Select Committee designated on November 13, 1908, to consider the application of the Coney Island and Brooklyn Railroad Company for an amendment of the order of the Board issued January 18, 1907, requiring said company to remove their railroad tracks to the centre of Coney Island avenue, and further applying for permission to create a so-called parkway through the centre of the avenue, I beg to direct the attention of the Board to the following conditions before a vote is taken on the recommendations embodied in the report of the other members of the Select Committee.

The development and improvement of Coney Island avenue has been held back some years through the condition and location of the railroad tracks, which in the operation of the road have practically preempted the westerly side of the street throughout its entire length from Prospect Park to Coney Island, a distance of nearly five miles. Steps to improve the avenue were taken early in 1903, and it was necessary, for the safety of the public, to have the tracks removed to the centre of the street, and repeated attempts have since been made by the Borough authorities to bring about an arrangement to provide for the use of this highway by the public by having it graded and paved throughout and so away with the dangerous operation of quick-moving cars in close relation to the curb of the street.

The railroad company have claimed that it had acquired a fee to a 24-foot strip on the westerly side of this avenue, but after a thorough investigation, made by the Corporation Counsel in 1904, the conclusion was reached that "the road is operated upon a highway or street of The City of New York," and that the company was bound, if ordered by the Board of Aldermen, to relocate its tracks in the centre of the avenue. This opinion of the Corporation Counsel, dated January 26, 1904, was addressed to the Commissioner of Public Works, and on December 8, 1904, the President of the Borough requested the Board of Aldermen to direct the railroad company to remove the tracks to the centre of the street, but no action was taken. On October 11, 1905, after the amendment of the Charter vesting jurisdiction in franchise matters with the Board of Estimate, a similar request was directed by the President of the Borough to the Board of Estimate.

The failure of the City authorities to maintain its rights and the repeated excuses and delays on the part of the railroad company have all operated against the improvement of the street as required by the City, and finally the railroad company put through the act of May 24, 1906, which was skillfully designed to operate against the interests of the City, and which appears also to relieve the railroad company of the cost of the original paving and to place it on the abutting property. The act is so garbled and ineffective that it fails to describe properly even the maintenance work, which should in all cases be extended throughout the franchise area by the railroad companies under the general provisions of the Railroad Act.

The Coney Island and Brooklyn Railroad Company filed its acceptance of the provisions of this act with the Board of Estimate on November 23, 1906, and after prompt compliance with its conditions, so far as this office was concerned, hoping to have the entire avenue improved I brought the matter formally before the Board, which on January 4, 1907, referred the application of the railroad company to the Corporation Counsel. On January 18, 1907, the opinion of Corporation Counsel Ellison, in which it was also held that this was a public highway, was considered, and on the same date an order was issued by the Board directing the railroad company to change the tracks to the centre of the avenue. Further delays occurred on the part of the railroad company, partly due to attempts to maintain their ownership of a fee in the avenue, and the order of the Board was not complied with. On April 6, 1908, I requested the Corporation Counsel to "take whatever proceedings may be proper and permissible for the earliest possible execution of the order (of the Board of Estimate) for the removal" of these tracks, so that the paving of the street, for which Local Board resolutions had been pending before the Board of Estimate for some time, could be carried out.

On June 15, 1908, I again addressed Acting Corporation Counsel Bell in the matter of the proceedings to require the railroad to obey the order of the Board of Estimate.

On May 14, 1908, I had notified the Board of Aldermen that I desired to withdraw a proposed resolution for the widening of the roadway of Coney Island avenue by the reduction of the sidewalks from 25 to 15 feet, which was required for the purpose of the railroad company and had been forwarded by a subordinate of this office on a misapprehension of what was desired by a majority of the property owners affected. On June 26, 1908, I again addressed the Board of Aldermen suggesting that evidently this resolution had been passed through oversight and asking for its annulment by that Board.

The plans of the railroad company, which called for this reduction of the sidewalk widths, giving a roadway 20 feet wider than now laid down, contemplated a so-called parking scheme by which a right of way was to be reserved for the benefit of the railroad company for a strip of 24 feet from the centre of the new highway, with public crossings only at intervals of a sixth of a mile (the blocks being nearly all 800 feet long) for the distance of four and seven-tenths miles from Prospect Park to Coney Island. The new right of way was not to be paved, and it was to be raised above the street surface and protected from traffic, and the plans of the railroad company also contemplated the illegal use of a centre-bearing rail.

On May 28, 1908, a customary notice from me defining the form of rail and the character of roadbed to be used in city streets, as provided for under section 383 of the Charter, had been served on the President of the Coney Island and Brooklyn Railroad Company, referring to Coney Island avenue, from Parkside avenue in Avenue G, etc. The rail required was the standard Brooklyn rail, which is a grooved girder rail. A centre-bearing rail does not allow paving, and is, moreover, prohibited under the Railroad Act.

The new scheme of the railroad company was presented to the Board of Estimate on September 18, 1908, with a request for an annulment of the resolution of the Board of January 18, 1907, and after the report of the Engineer of the Board, which was generally favorable to the railroad proposition, a hearing was given on November 13, 1908, at which time the entire matter was referred to the Select Committee, as stated.

Hearing was held by your Committee on December 9, 1908, and some further conferences were held in the matter, and on January 6, 1909, with concurrence as to presentation of fact, by the other members of the Committee, I submitted six specific questions to the Corporation Counsel. These questions were finally answered in an opinion of April 5, 1909, which stated in substance that Coney Island avenue is a public highway, and that while the railroad company, under their charter, has acquired certain rights of construction and operation, these rights could not be to the destruction of the public highway.

The Corporation Counsel also concurred in the statement that the physical effect of the so-called parking of the street in the centre, through which the railroad would operate, would constitute practically an exclusive use of this portion of the highway by the railroad, except at street crossings. He further agreed that a centre-bearing rail, as proposed by the company, could not be used in this street under the existing provisions of the law.

The whole history of this case, on which I have only briefly touched, shows the extent in which the public requirements may be disregarded, and that the concession which the railroad company seeks in appropriating a portion of a public highway for its exclusive use in the operation of high-speed railroad service has led to extreme measures in the acceleration of its plans.

I would therefore urge the individual members of the Board to consider this matter very carefully and support my position and that of my predecessor in office, in preserving Coney Island avenue in its entirety for the use of the public as a highway, and to refuse to vote for the so-called a right of way for this great distance, which would, moreover, operate to the detriment of the great majority of the property interests, which have been opposed to the railroad scheme. The action proposed in the majority report of the Select Committee would also, in my judgment, be in direct opposition to the opinions rendered by the present and the two former Corporation Counsel of the City.

Respectfully,

BIRD S. COLER, President, Borough of Brooklyn.

The Mayor presented the following:

BUREAU OF MUNICIPAL RESEARCH,
No. 261 BROADWAY,
NEW YORK, May 27, 1909.

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

GENTLEMEN—There is before your Honorable Board the report of the Select Committee appointed to consider the request of the Coney Island and Brooklyn Railroad Company that the resolution adopted on January 18, 1907, relative to the relocation of the tracks of the said railroad company on Coney Island avenue, in the Borough of Brooklyn, be amended by providing for a reduction in the width of the sidewalks and a consequent increase in the width of the roadway of the said avenue, and for the elevation, curbing and parking of the space to be occupied by the railroad company's tracks. We respectfully ask that your Honorable Board, before taking action, carefully consider the following please of the question of the advisability of adopting the amending resolution recommended by what purports to be the majority report of your Committee:

1. The Corporation Counsel has advised your Honorable Board and its Select Committee that the Coney Island and Brooklyn Railroad Company has no right to the exclusive use of any portion of the surface of Coney Island avenue. Chapter 610 of the Laws of 1906 did not grant to the railroad company any such exclusive right. We respectfully submit that your Honorable Board is without legal authority to grant to a railroad company the right to the exclusive use of the surface of a public highway, and that the adoption of the resolution now pending before the Board will secure to the railroad company an actual physical, if not legal, exclusive use of the centre of Coney Island avenue.

2. Coney Island avenue is a business street. It is practically the only important street in the territory through which it runs that is not restricted to residential purposes. The report of the Acting President of the Board of Aldermen and the Deputy Comptroller contains the following:

A majority of your Committee believes that this treatment of Coney Island avenue will not be detrimental to the abutting property, but that on the contrary, it will add to its value, will make the street much more attractive. * * *

However true this might be of such an improvement in a street devoted to residences, it is certainly not true of a business street. The Committee does not seem to have considered the effect of the proposed improvement upon the future development of Coney Island avenue as a business thoroughfare.

3. To grant the railroad company an exclusive right of way in the centre of the avenue will impede traffic and encourage excessive speed, thereby endangering the lives of pedestrians.

4. A surface railway in a public street should be made to serve the interests of property owners and residents in the territory through which it passes, rather than the interests of persons desiring to pass through that territory to distant points. A large majority of the owners of property abutting on and in the vicinity of Coney Island avenue object to the adoption of the resolution now pending before the Board.

5. If the purpose of the proposed relocation is to provide rapid transit communication with Coney Island, the means sought is contrary to public interest and adverse to the accepted modern methods of constructing a rapid transit railroad.

6. The resolution now pending before the Board extends and increases the value of the rights and franchises of the railroad company. In its petition requesting the Board to approve plans for the parking of Coney Island avenue, the railroad company says:

Seventh—Your petitioner would be greatly disadvantaged if the whole avenue were paved and its tracks located in the centre of the street. It would be deprived of the use which it has always had of its route or right of way on the westerly side of the street. The capitalization of the cost would be objected to by stockholders and there would be little reason, if any, for an issue of bonds to pay the cost, and if the Public Service Commission should authorize such an issue, the sale of them would be difficult, if not impossible, and your petitioner could not meet the cost out of its receipts and would be unable to change the location of its tracks, and the improvement of the avenue, greatly desired by everybody, would be hindered and delayed."

This is an admission by the company that its present rights and franchises are not of sufficient value to enable it to raise money by the sale of bonds. It is, moreover, a declaration by the company of its expectation that the rights which it will acquire through the adoption of the resolution now pending before the Board will increase the value of its property to such an extent as to enable it to sell its bonds. Before extending the franchises of the company, the Board should refer the railroad company's request to the Bureau of Franchises, with instructions to that Bureau to report the terms and conditions under which the request should be granted, if at all.

7. If the resolution now pending before the Board is adopted, the railroad company, in addition to the increased value of its franchises, will be saved a very large sum of money through the substitution of turf for the more costly paving ordinarily laid in city streets.

We respectfully submit that your Honorable Board should take notice of the fact that that which purports to be the majority report of your select committee represents the conclusions of substitutes for the original members of that committee; that after months of consideration of the matter by members of your Board the report before you was framed by public officers who are not members of your Board, and who are under no responsibility to the public as members of the Board of Estimate and Apportionment; that at least one of the members of the substitute committee had given insufficient consideration to the matter, acting as he did merely because of the temporary absence of the President of the Board of Aldermen; that the meeting of the committee at which the report was adopted was held without notice to the public and without notice to the representatives of the property owners who had appeared before the Board and before individual members of the select committee to protest against the proposed parking of Coney Island avenue; and that the President of the Borough of Brooklyn has presented a minority report in which he says that the adoption of the pending resolution would "operate to the detriment of the great majority of the property interests which had been opposed to the railroad scheme."

The questions involved in the resolutions now pending before the Board are important not only because of their effect upon the future improvement and development of Coney Island avenue, but also because of the precedent that may be established for the future treatment of similar requests for exclusive rights in the streets of the several boroughs of the City.

For all these reasons we respectfully urge the rejection of the report of the substitute members of your select committee.

Respectfully yours,

HENRY BRUERL, Director.

A communication was received from W. N. Parkes in opposition to the proposed grant.

Hon. Edward M. Grout appeared on behalf of certain abutting property owners in opposition to the proposed grant.

William N. Dykeman, of counsel for the company, appeared in favor.

The matter was then referred back to the select committee for a further hearing, with the request that the committee obtain an opinion from the Corporation Counsel before presenting its report to the Board.

NEW YORK POST-GRADUATE MEDICAL SCHOOL AND HOSPITAL.

The Secretary presented the following:

NEW YORK POST-GRADUATE MEDICAL SCHOOL AND HOSPITAL
SECOND AVENUE AND TWENTIETH STREET
NEW YORK, March 24, 1909.

BOARD OF ESTIMATE AND APPORTIONMENT, DIVISION OF FRANCHISES, NEW YORK CITY.

SIR—We respectfully petition the Board of Estimate and Apportionment to make a material reduction in the franchise tax for the accompanying permit, owing to the fact that this is a charitable institution.

As a precedent, we would call the attention of the Board to the approved resolution, No. 21, of the Board of Estimate and Apportionment, made to the Society of the New York Hospital, for a similar permit, and in your communication of June 18, 1907, to the secretary of this institution.

Very truly yours,

ARTHUR F. CHACE, Secretary.

NEW YORK POST-GRADUATE MEDICAL SCHOOL AND HOSPITAL
SECOND AVENUE AND TWENTIETH STREET
NEW YORK, March 24, 1909.

BOARD OF ESTIMATE AND APPORTIONMENT, DIVISION OF FRANCHISES, NEW YORK CITY.

DEAR SIR—We respectfully request permission to open the street for the purpose of laying an eight-inch pipe, to contain steam pipes, under and across East Twentieth street, from the Annex of the New York Post-Graduate Medical School and Hospital, No. 305 East Twentieth street, to the Nurses' Home, No. 308 East Twentieth street, directly opposite, said pipe to contain steam for heating purposes. These properties are owned by the New York Post-Graduate Medical School and Hospital.

Very truly yours,

ARTHUR F. CHACE, Secretary.

REPORT NO. F-113.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
May 24, 1909.

Hon. George B. McCULLAGH, Mayor, Chairman of the Board of Estimate and Apportionment:

SIR—Under date of March 24, 1909, the New York Post-Graduate Medical School and Hospital has applied to the Board for consent to install and use an 8-inch tile pipe under East Twentieth street, east of the easterly line of Second avenue, this pipe to be used for the conveyance of steam between buildings owned by the petitioner on opposite sides of the street.

The President of the Borough of Manhattan and the Commissioner of Water Supply, Gas and Electricity have been furnished with copies of the application and plan with a view to ascertaining if the bureaus under their jurisdiction would offer any objection to the proposed grant, and both of these officers have replied that they could find no objection to the installation of the proposed pipe.

There seems no reason why the Board should not grant the permission requested, in accordance with the terms outlined in the report and form of resolution prepared by the Division of Franchises hereto attached, the consent not to extend beyond a period of ten years and to be revocable upon sixty days' notice to the petitioner. The compensation to be paid the City for the maintenance of this pipe has been fixed at \$25 per annum, and no security deposit is exacted; this modification of the schedule of terms for such grants being similar to that granted the Society of the New York Hospital some time ago for a like privilege, and on account of the fact that the petitioner is a charitable institution.

It is recommended that the Board grant the request of the New York Post-Graduate Medical School and Hospital subject to the stipulations contained in the form of resolution herewith submitted.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 801, NO. 277 BROADWAY,
May 18, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

SIR—The New York Post-Graduate Medical School and Hospital has made application under date of March 24, 1909, to the Board of Estimate and Apportionment for consent to construct, maintain and use an eight-inch tile pipe under and across East Twentieth street, in the Borough of Manhattan, at a point about one hundred and twenty-seven (127) feet east of the easterly line of Second avenue. The proposed pipe is designed to connect the hospital annex building on the northerly side of Twentieth street with the Nurses' Home, directly opposite, and is to be used for the purpose of containing smaller pipes for the conveyance of steam between the two buildings for heating purposes. The petition recites that the properties to be connected by the said pipe are owned by the petitioner.

Copies of the application and accompanying plan were forwarded to the President of the Borough of Manhattan and the Commissioner of Water Supply, Gas and

Electricity, with a request that the project be examined by the respective bureaus having jurisdiction, with a view to ascertaining if there were any objections or any special conditions which should be inserted in the usual form of consent for similar privileges. In reply the President of the Borough of Manhattan states that the Bureau of Sewers and Highways find no objection to the granting of the requested consent, nor any special conditions which should be imposed in this case.

The Department of Water Supply, Gas and Electricity stated that there are no objections to the proposed pipe, provided that the same be placed at a depth of at least five feet six inches below the surface of the street so as not to interfere with the twelve-inch water main about to be installed through East Twentieth street. The petitioner was advised of this requirement, and the plans have been altered in accordance therewith, placing the proposed pipe at five feet nine inches below the surface of the street.

There appears to be no reason why the requested permission should not be granted, and I would recommend that consent be given during the pleasure of the Board of Estimate and Apportionment, but in no case to extend beyond ten (10) years from the date of approval by the Mayor, and revocable upon sixty (60) days' notice in writing.

The total length of the proposed pipe within the lines of East Twentieth street is 60 feet. In accordance with the schedule adopted by the Board of Estimate and Apportionment fixing the rate of charge for such privileges, the compensation should be one hundred and twenty dollars (\$120). However, in a supplementary communication, the New York Post-Graduate Medical School and Hospital has requested that a material reduction in the charge for the privilege be made, as the petitioner is a charitable institution. As a precedent for this request, attention is called to the consent of the Board of Estimate and Apportionment granted to the Society of the New York Hospital for a similar privilege.

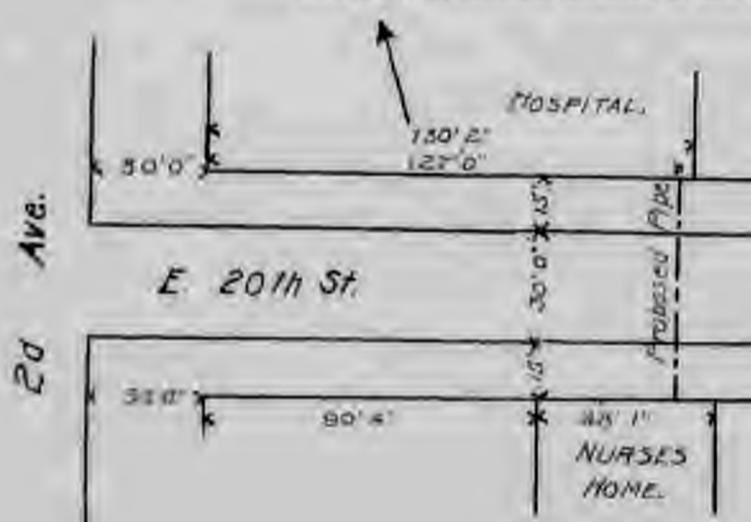
The consent referred to as having been granted to the Society of the New York Hospital was for a bridge over and across Staple street, in the Borough of Manhattan. In that case, the Division presented a report recommending that as the petitioner was a charitable institution, the annual charge be fixed at the minimum of one hundred dollars (\$100), heretofore established by the Board for such privileges. The matter was referred to the Comptroller, and later, on April 19, 1907, the requested consent was granted upon the usual terms and conditions, except that the charge was fixed upon the recommendation of the Comptroller at twenty-five dollars (\$25) per annum, and the customary security deposit was waived.

As this appears to be a precisely similar case, I would recommend that the rate of charge for the requested privilege be fixed at twenty-five dollars (\$25) per annum, and that no security deposit be required.

It has been made a condition of the consent that the proposed pipe shall be completely laid within three months from the date of approval by the Mayor, and within sixty days from the date on which the permit is issued by the President of the Borough of Manhattan.

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

Respectfully,
HARRY P. NICHOLS, Engineer in Charge.



PLAN OF PROPOSED PIPE FOR NEW YORK POST GRADUATE MEDICAL SCHOOL AND HOSPITAL.

DIVISION OF FRANCHISES

The following was offered:

Whereas, The New York Post-Graduate Medical School and Hospital has presented an application dated March 21, 1909, to the Board of Estimate and Apportionment of The City of New York for its consent to the installation, maintenance and use of an 8-inch tile pipe under and across East Twentieth street, in the Borough of Manhattan, about one hundred and twenty-seven (127) feet east of the easterly line of Second avenue; the said pipe to connect with the buildings of the petitioner on opposite sides of East Twentieth street, known as No. 305 East Twentieth street and No. 308 East Twentieth street, and to be used to contain smaller pipes for the conveyance of steam between the said premises; now therefore be it

Resolved, That the consent of the corporation of The City of New York be and the same is hereby given to the New York Post-Graduate Medical School and Hospital, the owner of certain properties on opposite sides of East Twentieth street, in the Borough of Manhattan, between Second and First avenues, known as No. 305 East Twentieth street and No. 308 East Twentieth street, to lay down, maintain and use an 8-inch tile pipe under and across said East Twentieth street, about one hundred and twenty-seven feet east of the easterly line of Second avenue, connecting the said properties; the said pipe to be used to contain smaller pipes for the conveyance of steam between said buildings for heating purposes, and for no other purpose, all as shown on the plan accompanying the application entitled:

"Plan showing location of proposed pipe to be constructed in Twentieth street, New York City, to accompany application of New York Post-Graduate Medical School and Hospital to the Board of Estimate and Apportionment, City of New York, dated March 21, 1909."

—and signed Arthur F. Chase, applicant, a copy of which is annexed hereto and made a part hereof, upon the following terms and conditions:

1. Said consent shall continue only during the pleasure of the Board of Estimate and Apportionment, or its successors in authority, and shall be revocable upon sixty (60) days' notice in writing to the said grantee, its successors or assigns, but in no case shall it extend beyond a term of ten (10) years from the date of the approval

of this consent by the Mayor, and thereupon all rights of the said New York Post-Graduate Medical School and Hospital in or under said East Twentieth street by virtue of this consent shall cease and determine.

2. The said New York Post-Graduate Medical School and Hospital, its successors or assigns, shall pay into the Treasury of The City of New York, as compensation for the privilege hereby granted, the annual sum of twenty-five dollars (\$25). Such payments shall be made in advance on November 1 of each year, provided, however, that the first payment shall be made within thirty (30) days of the approval of this consent by the Mayor, and shall be only that proportion of twenty-five dollars (\$25) as the time between the approval of this consent by the Mayor and November 1 following bears to the whole year. Such payments shall not be considered in any manner in the nature of a tax, but shall be in addition to any and all taxes of whatsoever kind or description now or hereafter required to be paid under any ordinance of The City of New York, or by any law of the State of New York.

3. Upon the removal of the said grantee from either one or both of the buildings to be connected by the pipe or upon the revocation or termination by limitation of this consent, the said grantee, its successors or assigns, shall, at its own cost, cause the pipe to be removed and all that portion of East Twentieth street affected by this permission to be restored to its proper and original condition, if required so to do by The City of New York or its duly authorized representatives. If the pipe to be constructed by the said grantee under this consent shall not be required to be removed, it is agreed that the said pipe shall become the property of The City of New York.

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

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

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

6. Before the construction shall be begun the grantee shall obtain permits to do the work from the President of the Borough of Manhattan and from the Commissioner of Water Supply, Gas and Electricity. The grantee shall perform all the duties which may be imposed upon it by these officials as conditions of such permits, provided such conditions are not inconsistent with the provisions of this consent. The grantee shall submit to these officials working plans which shall include and show in detail the method of construction of such pipe and the mode of protection or change in all subsurface structures required by the construction of the pipe.

7. The grantee, its successors or assigns, shall allow to The City of New York a right of way, under or above any part of the pipe constructed under the consent hereby granted for any and all subsurface structures, which are now or may be hereafter placed by The City of New York in that portion of East Twentieth street occupied by said pipe.

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

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

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

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

12. Said grantee, its successors or assigns, shall commence the construction of said pipe under this consent and complete the same within three months from the date of the approval of this consent by the Mayor and within sixty (60) days from the date on which permit is issued by the President of the Borough of Manhattan, otherwise this consent shall be forfeited forthwith, and without any proceeding, either at law or otherwise, for that purpose; provided, however, that such time may be extended by the Board of Estimate and Apportionment for a period not exceeding one month.

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

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

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

Which was adopted by the following vote:

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

NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY.

The Secretary presented the following:

To the Honorable the Board of Estimate and Apportionment:

The New York, New Haven and Hartford Railroad Company, for itself and as lessee of the Harlem River and Port Chester Railroad Company, respectfully alleges as follows:

1. The New York, New Haven and Hartford Railroad Company is a corporation of the State of Connecticut and is lessee for a period of ninety-nine years of the railroad of the Harlem River and Port Chester Railroad Company, which was incorporated by chapter 763, Laws of 1866, and chapter 722 of the Laws of 1869.

2. By contract dated December 21, 1904, between petitioner and The City of New York, a copy of which is annexed, and by virtue of the provisions of law above referred to, petitioner has now the right to cross Bungay street or East One Hundred and Forty-ninth street, in The City of New York, with its six-track railroad and to carry across said street all electric power lines, ducts and cables necessary to the business of petitioner. And it is the intention of petitioner at an early date to operate its said railroad across Bungay street and generally by means of electricity.

3. Petitioner being about to begin operation of its new transfer bridges at its Oak Point yard, in the Borough of The Bronx, City of New York, to be operated by electric power, which electric power is intended to be obtained from the Port Morris power house of the New York Central and Hudson River Railroad Company, applies for consent of this Honorable Board to the construction of a temporary duct or pipe line for the transmission of such electric power, through and across Bungay street or East One Hundred and Forty-ninth street, in the Borough of The Bronx, as indicated on plans attached hereto. The line is to be carried over the top of the crown of the old sewer and between that point and the finished street level, and it will in no way interfere with permanent street grading.

The drawing annexed shows in detail the proposed construction at this crossing and indicates the relative location of the duct line, the sewer, the finished street grade when finished and the present fill over the sewer at this point. It is proposed to use only two of the four ducts, two of them being left as spares, and, at present, two 3-conductor varnished cambric insulated lead-covered cables will be installed, operating under 11,000 volts, 3-phase A. C.

The duct line is properly reinforced and contained in concrete and is sufficiently supported on piles on six-foot centres.

4. The said new transfer bridges are nearly completed. The proposed line will be a part of the railroad equipment of said Harlem River and Port Chester Railroad Company, operated by petitioner.

The consent asked for is a necessary incident to the operation of the transfer bridges at Oak Point yard, which will be ready for use in the next few months. It is asked for as a temporary and substituted method, until such time as petitioner can avail itself of its existing franchise right to cross said street. The obtaining of power from the New York Central is only temporary, and until the electrification of the Harlem River and Port Chester Railroad in the vicinity of the Oak Point yard, Bungay street is an open, ungraded street, used only for purposes of conducting a large sewer, and it will probably not be used as a street for many years.

Petitioner undertakes, if this consent is granted, to discontinue said duct line and to restore said street to good condition, satisfactory to the City, as soon as it shall be able to furnish its own electricity at said point. It is confidently expected that in six months to one year the work of electrifying petitioner's railroad in The Bronx will be started.

Dated New York, May 5, 1909.

THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD COMPANY,

By A. S. MAY, Treasurer.

State of Connecticut, City and County of New Haven, ss.:

Augustus S. May, being duly sworn, deposes and says, that he is the treasurer of the New York, New Haven and Hartford Railroad Company, the petitioner herein, that he has read the foregoing petition and knows the contents thereof and that the same is true to his own knowledge, except as to the matters therein stated to be upon information and belief and as to those matters he believes it to be true; that the reason why this petition is not verified by the petitioner is that it is a foreign corporation and defendant is an officer and agent thereof; that the source of defendant's knowledge and the grounds of his belief as to all the matters therein not stated to be upon knowledge are statements and reports received from the officers and agents of the said petitioner having in charge the matters referred to in the petition.

A. S. MAY.

Sworn to before me this 5th day of May, 1909.

NORMAN S. BUCKINGHAM, Notary Public.

State of Connecticut, County of New Haven, ss.:

I, John Currier Gallagher, Clerk of the Superior Court, the same being a court of record, within and for said county and State, and the officer authorized by the laws of the State of Connecticut to make the following certificate of the County of New Haven, do hereby certify:

That Norman S. Buckingham, Esq., whose name is subscribed to the annexed instrument and thereon written, and before whom the annexed acknowledgment, oath, or affidavit was taken, was at the time of taking such acknowledgment, oath, or affidavit a notary public in and for said county of New Haven, residing in said county, duly authorized to take the same, and the officer duly authorized by the laws of said State to take and certify the acknowledgment and proof of deeds to be recorded in said State; and further, that I am well acquainted with the handwriting of such officer, and verily believe that the signature to such acknowledgment, oath, or certificate is genuine.

In testimony whereof I hereinunto set my hand and affix the seal of said court, at New Haven, this 5th day of May, A. D. 1909.

[SEAL] JOHN CURRIER GALLAGHER, Clerk.

Report No. F-158.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER.
May 24, 1909.

Hon. George B. McCULLAN, Mayor, Chairman of the Board of Estimate and Apportionment:

Sir—Under date of May 5, 1909, the New York, New Haven and Hartford Railroad Company presented a petition to the Board of Estimate and Apportionment for permission to construct and use a conduit two feet two inches wide and two feet ten inches high across East One Hundred and Forty-ninth street, at a point about 650 feet north of the bulkhead line of the East River, in the Borough of The Bronx, this conduit to be used for the transmission of electrical power which the company has arranged to secure from the New York Central and Hudson River Railroad Company's power house on the East River, immediately west of One Hundred and Forty-ninth street, for the operation of its new transfer bridges at the Oak Point yard.

The company states that the conduit will only be necessary until the electrification of the Harlem River and Port Chester Railroad in the vicinity of the Oak Point yard has been completed, which will probably be in about one year. By virtue of its franchise the company now has a right of way across East One Hundred and Forty-ninth street. The President of the Borough and the Commissioner of Water Supply, Gas and Electricity have been furnished with copies of the application and plan, and they have stated that they would offer no objection to the proposed grant. The President of the Borough of The Bronx further stated that owing to the possible interference of this conduit with the proposed regulating and grading of this street, the railroad company should be required to secure the consent of the contractor, and this provision has been inserted in the proposed form of grant which is herewith presented, together with the report of the Engineer in charge of the Division of Franchises.

I would recommend that the Board grant the request of the railroad company, the consent to be revocable upon sixty days' notice, that a security deposit in the sum of \$500 be required, and that the annual charge to be paid by the company for the privilege of maintaining this conduit be fixed at \$100, the work of installation to be completed within four months from the date of approval of the consent by the Mayor. Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 301, NO. 277 BROADWAY,
May 21, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

Sir—The New York, New Haven and Hartford Railroad Company for itself and as lessee of the Harlem River and Port Chester Railroad Company has presented a verified petition dated May 5, 1909, to the Board of Estimate and Apportionment for permission to construct, maintain and use a conduit two feet two inches wide and two feet ten inches high across East One Hundred and Forty-ninth street, also known as Bungay street, in the Borough of The Bronx, at a point about six hundred and fifty feet north of the bulkhead line of the East River.

The petition recites that operation of the company's new transfer bridges at its Oak Point yard, in the Borough of The Bronx, is about to begin. For this purpose electrical power is necessary and the petitioner has arranged to temporarily obtain this power from the New York Central and Hudson River Railroad Company's power house, situated on the East River immediately west of East One Hundred and Forty-ninth street. It is further stated that the conduit will only be necessary until the petitioner has completed the electrification of the Harlem River and Port Chester Railroad in the vicinity of the Oak Point yard, and it is confidently expected that such electrification will be begun within one year from the present time.

By virtue of the franchise of the Harlem River and Port Chester Railroad Company and by a contract dated December 21, 1904, between the petitioner and The City of New York, the railroad company has now a right of way across East One Hundred and Forty-ninth street for its six-track railroad, with all necessary power lines, but this right of way is about eleven hundred feet north of the New York Central and Hudson River Railroad Company's power house. If the requested permission be granted the railroad company will be relieved from considerable expense as the conduit will be over one thousand feet shorter than if the wires were conducted northerly to the right of way before crossing East One Hundred and Forty-ninth street.

This portion of East One Hundred and Forty-ninth street or Bungay street is shown on the filed maps of the Twenty-third and Twenty-fourth Wards 100 feet in width, but the records show that it was legally opened to only 80 feet in width, and it would appear that no proceedings have ever been initiated to increase the width at this point to 100 feet. The New York Central and Hudson River Railroad Company's yard lies immediately west of East One Hundred and Forty-ninth street at this point, and the New York, New Haven and Hartford Company's yard lies immediately east of said street.

At present this portion of East One Hundred and Forty-ninth street is not regulated and graded. A large brick sewer in the centre of the street is now being completed, the top of such sewer being several feet above the elevation of the ground.

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

These officials have replied stating that there are no objections to the proposed conduit and that the usual conditions imposed in the form of resolution heretofore used by the Board will be sufficient in this case. The President of the Borough of The Bronx adds that there is a contract in force for regulating and grading this portion of East One Hundred and Forty-ninth street, and that as the construction of this conduit might interfere with said contract, the railroad company should be required to secure the consent of the contractor. A provision has been inserted in the form of consent requiring the grantee to obtain the permission of the contractor, and file the same with the Board of Estimate and Apportionment.

I can see no good reason for requiring the company to temporarily conduct the current in a roundabout way over its own right-of-way at large expense, and would recommend that consent be given as a substitute for the petitioner's right to carry electric current across East One Hundred and Forty-ninth street within the limits of its right-of-way during the pleasure of the Board of Estimate and Apportionment, but in no case to extend beyond five years from the date of approval by the Mayor, when it is anticipated that the petitioner's Oak Point yard will be electrified.

The consent should be revocable upon sixty (60) days' notice in writing, and it should be made a condition that a security deposit in the sum of five hundred dollars (\$500) be required, said deposit to be either in the form of money or securities to be approved by and deposited with the Comptroller for the faithful performance of the terms and conditions of the consent.

I would recommend that the annual charge be fixed at the nominal sum of one hundred dollars (\$100); such charge to commence on the date of the approval of the consent by the Mayor. It has been made a condition that the conduit shall be completed within four (4) months from the date of the approval of the consent by the Mayor.

A resolution for adoption is herewith submitted containing the customary provisions.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.



PLAN OF
PROPOSED CONDUIT
FOR
N.Y.N.H. & H.R.R.

DIVISION OF FRANCHISES

The following was offered:

Whereas, The New York, New Haven and Hartford Railroad Company for itself and as lessee of the Harlem River and Port Chester Railroad Company, has presented an application dated May 5, 1909, to the Board of Estimate and Apportionment of The City of New York for its consent to the construction, maintenance and use of a conduit across East One Hundred and Forty-ninth street or Bungay street, in the Borough of The Bronx, about 650 feet north of the bulkhead line of the East River,

approved by the Secretary of War April 14, 1900; the said conduit to be used for the purpose of containing electrical wires to conduct electricity from the power house of the New York Central and Hudson River Railroad Company on the westerly side of East One Hundred and Forty-ninth street to the new transfer bridges of the New York, New Haven and Hartford Railroad Company, in its Oak Point yard on the easterly side of East One Hundred and Forty-ninth street; now therefore be it

Resolved, That the consent of the corporation of The City of New York be and the same is hereby given to the New York, New Haven and Hartford Railroad Company for itself, and as lessee of the Harlem River and Port Chester Railroad Company, to construct, maintain and use a conduit across East One Hundred and Forty-ninth street, in the Borough of The Bronx, about 650 feet north of the bulkhead line of the East River, approved by the Secretary of War April 14, 1900; the said conduit to be used to contain wires for the transmission of electric current between the power house of the New York Central and Hudson River Railroad Company on the westerly side of East One Hundred and Forty-ninth street, and the new transfer bridges of the petitioner in its Oak Point yard on the easterly side of East One Hundred and Forty-ninth street, and for no other purpose, all as shown on the plan accompanying the application entitled:

"Plan showing location of proposed duct line to be constructed in Hungay street, Borough of The Bronx, to accompany the application of New York, New Haven and Hartford Railroad Company to the Board of Estimate and Apportionment, City of New York, dated May 5, 1909."

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

1. Said consent shall continue only during the pleasure of the Board of Estimate and Apportionment, or its successors in authority, and shall be revocable upon sixty (60) days' notice in writing by the said grantee, its successors or assigns, but in no case shall it extend beyond a term of five (5) years from the date of the approval of this consent by the Mayor, and thereupon all rights of the said New York, New Haven and Hartford Railroad Company in or under said East One Hundred and Forty-ninth street or Hungay street by virtue of this consent shall cease and determine.

2. The said New York, New Haven and Hartford Railroad Company, its successors or assigns, shall pay into the Treasury of The City of New York, as compensation for the privilege hereby granted, the annual sum of one hundred dollars (\$100). Such payments shall be made in advance on November 1 of each year, provided, however, that the first payment shall be made within thirty (30) days of the approval of this consent by the Mayor, and shall be only that proportion of one hundred dollars (\$100) as the time between the approval of this consent by the Mayor and November 1 following bears to the whole year. Such payments shall not be considered in any manner in the nature of a tax, but shall be in addition to any and all taxes of whatsoever kind or description now or hereafter required to be paid under any ordinance of The City of New York, or by any law of the State of New York.

3. Upon the removal of the said grantee from either one or both of the properties to be connected by the conduit or upon the revocation or termination by limitation of this consent, the said grantee, its successors or assigns, shall at its own cost cause the conduit to be removed and all that portion of East One Hundred and Forty-ninth street affected by this permission to be restored to its proper and original condition, if required so to do by The City of New York or its duly authorized representatives. If the conduit to be constructed by the said grantee under this consent shall not be required to be removed, it is agreed that the said conduit shall become the property of The City of New York.

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

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

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

6. Before the construction shall be begun the grantee shall obtain permits to do the work from the President of the Borough of The Bronx and from the Commissioner of Water Supply, Gas and Electricity. The grantee shall perform all the duties which may be imposed upon it by those officials as conditions of such permits, provided such conditions are not inconsistent with the provisions of this consent. The grantee shall submit to those officials working plans which shall include and show in detail the method of construction of such conduit and the mode of protection or change in all subsurface structures required by the construction of the conduit.

7. The grantee, its successors or assigns, shall allow to The City of New York a right of way under or above any part of the conduit constructed under the consent hereby granted for any and all subsurface structures which are now or may be hereafter placed by The City of New York in that portion of East One Hundred and Forty-ninth street occupied by said conduit.

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

9. This consent is subject to whatever right, title or interest the owners of abutting property or others may have in and to East One Hundred and Forty-ninth street.

10. Said grantee shall be liable for all damages to persons or property, including the street and subsurface structures therein, by reason of the construction and operation or maintenance of said conduit, and it is a condition of this consent that The City of New York assumes no liability to either person or property on account of the consent. It is made a particular condition of this consent that before any work is begun within the lines of East One Hundred and Forty-ninth street, the grantee shall obtain the consent of the contractor holding the existing contract for regulating and grading

East One Hundred and Forty-ninth street at this point, to the construction and maintenance of the proposed conduit. The grantee shall also obtain from said contractor an instrument in writing releasing The City of New York from any and all claims of any kind, character or description due to the existence of the proposed conduit, and in particular any and all claims for damages, or extra compensation or extensions of time under the contract for regulating and grading East One Hundred and Forty-ninth street. Such consent and release shall be filed with the Board of Estimate and Apportionment before the commencement of construction of the conduit within the lines of East One Hundred and Forty-ninth street.

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

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

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

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

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

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

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

Which was adopted by the following vote:

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

O'Neill-Adams Company.

The Secretary presented the following:

In the Matter of the Application of O'Neill-Adams Company for Authority to Construct and Maintain a Bridge Across Twenty-first Street, in the Borough of Manhattan, City of New York, Between Sixth and Seventh Avenues and Connecting the Buildings on the North and South Sides of Said Street.

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

Your petitioner respectfully applies for permission to construct and maintain a bridge across Twenty-first street, in the Borough of Manhattan, City of New York, between Sixth and Seventh avenues, and connecting the buildings on the north and south sides of said street, consistent with the plans and specifications filed herewith:

1. O'Neill-Adams Company, your petitioner, and hereinafter referred to as the "Petitioner," is a corporation duly organized and existing under the Laws of the State of New York, and carries on a commercial business in the buildings situated on the west side of Sixth avenue, extending from Twentieth to Twenty-second street.

2. Your petitioner is the owner in fee or the lessee for a long term of years of the said buildings between which said proposed bridge is to extend.

3. Your petitioner desires to connect the second and third stories of the aforesaid store buildings for the better accommodation of the large number of persons who may enter said premises in connection with the business of your petitioner.

4. Your petitioner desires to locate said bridge 29 feet at the north end thereof and 36 feet 6 inches at the south end, respectively, from the building line on said Sixth avenue.

5. Your petitioner desires to construct said bridge of steel columns, beams, angles and channels, forming trusses, struts, etc. The columns are to be encased with 2-inch terra cotta blocks, and the frame of the bridge to be filled in with 4-inch terra cotta blocks. The floor construction is to be either terra cotta blocks or reinforced concrete arches between the steel beams. The exterior of the bridge is to be covered with sheet metal. The steel columns are to extend through the first story and basement of each building and are to be supported on foundations of steel beams and concrete, independent of existing foundations of the building. The entire structure is to conform to the requirements of the Building Code.

6. That said bridge, for the construction of which permission is hereby sought, is to be of especial advantage to the public for the following, among other reasons:

(a) It will facilitate those persons entering into either of said stores and desiring to reach the other store without crossing the street either than under cover;

(b) That such bridge will be a substantial protection for human safety in case of fire, in view of the large number of persons necessarily in said building at all times;

(c) As a large number of said persons using one of said stores desires to go into the other store for purposes of trade, it will facilitate the transit from one building to the other without creating congestion and without in any way interfering with the public use of said Twenty-first street and of said Sixth avenue between Twentieth and Twenty-second streets, now much congested by private carriages, delivery wagons,

automobiles, public conveyances and foot passengers. The proposed bridge will thus be an important factor in averting accidents.

Dated, New York, April 10, 1909.

Respectfully submitted,

O'NEILL-ADAMS COMPANY
By Louis STEWART, President.

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

Louis Stewart, being duly sworn, deposes and says: That he is the President of the above named petitioner, O'Neill-Adams Company, and that he has read the foregoing petition and believes it to be true.

Sworn to before me this 22d day of April, 1909.

[SEAL] BERNARD F. BOYLAN, Notary Public, New York County.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER.
May 25, 1909.

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

Sir—Under date of April 10, 1909, the O'Neill-Adams Company presented a petition to the Board for permission to construct and use an enclosed bridge across West Twenty-first street, about twenty-nine feet west of Sixth avenue, in the Borough of Manhattan, connecting the second and third floors of buildings owned by the petitioner on opposite sides of the street. This petition was referred to the Chief Engineer at the meeting held on April 23, 1909.

The President of the Borough of Manhattan, the Commissioner of Water Supply, Gas and Electricity and the Fire Commissioner have been furnished with copies of the petition and accompanying plan of the proposed bridge, and these officials have stated that they would offer no objection to the granting of the consent requested, a modification in the plans suggested by the Fire Commissioner, consisting of the omission of certain stairways, etc., having been made.

I see no reason why the request of the petitioner should not be granted, in accordance with the terms outlined in detail in the proposed form of grant accompanying the report of the Engineer in charge of the Division of Franchises herewith attached, and would recommend such action by the Board, the privilege not to extend beyond a period of ten years and to be revocable upon sixty days' notice, that a security deposit of \$5,000 be required, and that the company pay to the City the sum of \$3,900 annually for the first five years and \$4,100 annually for the second five years.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

BOARD OF ESTIMATE AND APPORTIONMENT,
DIVISION OF FRANCHISES, ROOM 811, NO. 277 BROADWAY.
May 20, 1909.

Mr. Nelson P. Lewis, Chief Engineer:

Sir—O'Neill-Adams Company, a domestic corporation, engaged in the department store business, has presented a petition dated April 10, 1909, to the Board of Estimate and Appportionment for permission to construct, maintain and use an enclosed bridge about 13 feet wide and 34 feet high outside dimensions, and 20 feet 6 inches above the surface of the street over and diagonally across West Twenty-first street, in the Borough of Manhattan, about 29 feet west of Sixth avenue, connecting the second and third floors of the buildings on opposite sides of said street.

The petition was presented at a meeting of the Board held April 23, 1909, and referred to the Chief Engineer.

The business of the petitioner is carried on in two buildings occupying the entire Sixth avenue frontage between Twentieth and Twenty-second streets, and the bridge is desired for the purpose of facilitating the passage of persons trading with the applicant company from one building to the other.

The petition also recites that the proposed bridge will be a protection for human life in case of fire.

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

Replies were received from the President of the Borough, and from the Commissioner of Water Supply, Gas and Electricity, stating that there were no objections to the granting of the requested permission.

The Fire Commissioner recommended that the consent be granted provided certain stairways shown on the original plan be omitted, and that the passageway be constructed at an inclination so as to connect with the floors of the respective buildings without steps. Said official also required the placing of automatic self-closing doors or approved roller iron shutters at each end of the bridge.

The petitioner was informed of these requisite conditions, and the plans have been altered in accordance therewith.

I can see no reason why the requested permission should not be granted, and would recommend that the consent be given during the pleasure of the Board of Estimate and Appportionment, but in no case to extend beyond ten years from the date of approval by the Mayor, and revocable upon sixty (60) days' notice in writing, and that it be made a condition of the consent that a security deposit in the sum of five thousand dollars (\$5,000) be required, said deposit to be in the form of either money or securities to be approved by and deposited with the Comptroller, for the faithful performance of the terms and conditions of the consent.

It has been made a condition of the consent that the bridge shall be used solely for the purpose of a passageway, and not in any way for the display or sale of goods or merchandise. Provisions have also been incorporated in the consent requiring the grantee to obtain the approval of the Municipal Art Commission to the plans of the proposed bridge before commencing construction of the same, and requiring the completion of the bridge within one year from the date of approval of the consent by the Mayor.

The total area of the plan of the proposed bridge between building lines is 778.5 square feet, and the average assessed valuation of the lands occupied by the premises to be connected by the proposed bridge is \$41.34 per square foot. On the basis of compensation heretofore adopted by the Board in similar cases, viz.: Eight per cent. of the assessed valuation of the plan area of the structure per annum, the annual charge for the first term of five years for a single bridge would be \$2,575, but as the proposed bridge is to be a double structure connecting two floors of the buildings, a fair charge for the privilege would be as previously established by the Board in a similar case, one and a half times the usual charge for a single passageway. On this basis for the first term of five years with a 5 per cent. increase for the succeeding term of five years the annual charges would be as follows:

During the first term of five years the annual sum of \$3,900; during the second term of five years the annual sum of \$4,100.

This compensation should commence on the date of the approval of the consent by the Mayor.

A resolution for adoption containing the customary provisions is submitted herewith.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

Proposed Resolution.

Whereas, O'Neill-Adams Company, a domestic corporation has presented an application dated April 10, 1909, to the Board of Estimate and Appportionment of The City of New York, for its consent to the construction, maintenance and use of an enclosed overhead bridge diagonally across West Twenty-first street, in the Borough of Manhattan, about 29 feet west of the westerly line of Sixth avenue; said bridge to connect the buildings of the company on either side of said West Twenty-first street, and to be used as a passageway between the said buildings; now therefore be it

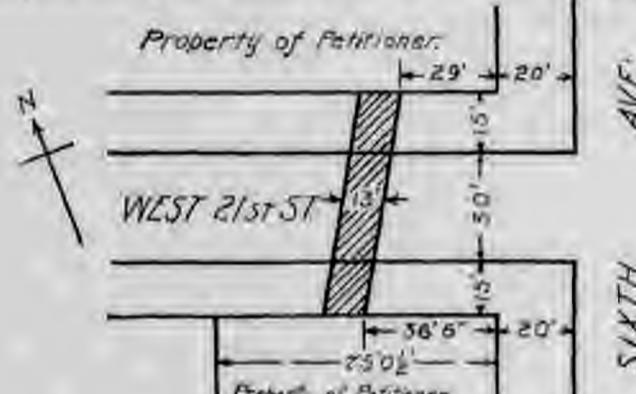
Resolved, That the consent of the corporation of The City of New York be and the same is hereby given to O'Neill-Adams Company, the lessee of certain properties on the northerly and southerly sides of West Twenty-first street, between Sixth avenue and Seventh avenue, in the Borough of Manhattan, City of New York, to construct, maintain and use an enclosed single span bridge over and across West Twenty-

first street about 29 feet west of the westerly line of Sixth avenue, connecting its buildings for the purpose of providing a passageway and for no other purpose, all as shown on the plan accompanying the application and entitled:

"Plan showing location of proposed bridge to be constructed in West Twenty-first street, Borough of Manhattan, to accompany application of O'Neill-Adams Company to the Board of Estimate and Appportionment, City of New York, dated April 10, 1909."

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

1. Said consent shall continue only during the pleasure of the Board of Estimate and Appportionment or its successors in authority, and shall be revocable upon sixty (60) days' notice in writing to said grantee, its successors or assigns, but in no case shall it extend beyond a term of ten (10) years from the date of approval by the Mayor, and thereupon all rights of the said O'Neill-Adams Company in or over said West Twenty-first street by virtue of this consent shall cease and determine.



PLAN
OF
PROPOSED BRIDGE
FOR
O'NEILL-ADAMS CO.

DIVISION OF FRANCHISES

2. The said O'Neill-Adams Company, its successors or assigns, shall pay into the Treasury of The City of New York, as compensation for the privilege hereby granted, during the first term of five years, the annual sum of three thousand nine hundred dollars (\$3,900), and during the second term of five years the annual sum of four thousand one hundred dollars (\$4,100). Such payments shall be made in advance on November 1 of each year; provided, however, that the amount of the first payment to be made within thirty (30) days after the approval of this consent by the Mayor shall be only that proportion of three thousand nine hundred dollars (\$3,900) as the time between the approval of this consent by the Mayor and November 1 following bears to the whole year. Such compensation shall not be considered in any manner in the nature of a tax, but shall be in addition to any and all taxes of whatever kind or description now or hereafter required to be paid under any ordinance of The City of New York or by any law of the State of New York.

3. Upon the termination of the lease held by the said grantee of either one or both of the premises connected by the bridge, or upon revocation or termination of this consent, the said grantee, its successors or assigns, shall, at its own cost, cause the bridge and all its appurtenances to be removed from the limits of the street, if required so to do by The City of New York through its duly authorized representatives; if the bridge constructed by the said grantee under this consent shall not be required to be removed it is agreed that the said bridge shall become the property of The City of New York.

4. The bridge to be erected under the consent hereby given is for the exclusive use of the business of O'Neill-Adams Company, the present occupant of the buildings to be connected by the bridge, and shall not be assigned, either in whole or in part or leased or sublet in any manner, nor shall title thereto, or right, interest or property thereon pass to or vest in any person or corporation whatsoever, other than the said O'Neill-Adams Company, either by the acts of said grantee, its successors or assigns, or by operation of law, without the consent in writing of The City of New York, acting by the Board of Estimate and Appportionment or its successors in authority.

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

- (a) The construction and maintenance of the bridge.
- (b) The protection of all surface and subsurface construction in West Twenty-first street which may be disturbed by the construction of the bridge.
- (c) The replacing or restoring of the pavement in said street which may be disturbed during the construction of said bridge.
- (d) Each and every item of the increased cost of any future structure caused by the presence of said bridge under this consent.
- (e) The inspection of all work during the construction or removal of the bridge which may be required by any department of The City of New York having jurisdiction over such construction or removal.

6. It is made a particular condition of this consent that the said bridge shall be constructed of fireproof material throughout, that automatic self-closing fireproof doors or roller iron shutters satisfactory to the Fire Commissioner shall be provided at each end of the said bridge, and that all skylights, side windows, etc., shall be of wire glass set in metal frames. A copy of the approval of the Fire Commissioner in said doors or shutters shall be filed with the Board of Estimate and Appportionment.

The grantee shall obtain the approval of the Municipal Art Commission to the plans for the proposed bridge, as to its artistic design, before the commencement of the construction of the bridge, provided action is taken by the said Municipal Art Commission within thirty days from the date of the submission of the designs to it, and a copy of such approval shall be filed with the Board of Estimate and Appportionment.

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

7. The grantee, its successors or assigns, shall allow to The City of New York a right of way under, over or through any part of the bridge constructed under the consent hereby granted for any and all structures which are now or may be hereafter placed by The City of New York in that portion of the above named street occupied by said bridge.

8. Said bridge shall be constructed, maintained and used subject to the supervision and control of the proper authorities of The City of New York, and said bridge shall be open at all times to the inspection of all the authorities who have jurisdiction in such matters under the Charter of The City of New York.

9. Said bridge shall be used by O'Neill-Adams Company as a passageway between the aforementioned buildings, and for no other purpose whatsoever, and no material of any kind or description shall be allowed to remain standing thereon, no merchandise shall be displayed or sold thereon, and no electric wires or pipes shall be placed upon or attached to the said bridge, except those necessary for the purpose of adequately lighting the same.

10. The grant of this privilege is given subject to whatever right, title or interest the owners of the abutting property or any other person or persons may have in and to the street where the bridge is to be constructed, and the said grantee shall be liable for all damage to persons or property, including the street, by reason of the construction or maintenance of said bridge, and it is a condition of this consent that The City of New York assumes no liability to either person or property on account of this consent.

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

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

13. This consent is upon the express condition that within thirty (30) days after its approval by the Mayor, and before anything is done in exercise of the rights conferred hereby, the said grantee shall deposit with the Comptroller of The City of New York the sum of five thousand dollars (\$5,000), either in money or in securities to be approved by him, which fund shall be security for the performance of the terms and conditions of this consent, especially those which relate to the payment of the annual charge.

In case of default in the payment of the annual charge, The City of New York shall collect the same, with interest, from such fund after ten (10) days' notice in writing to the said grantee.

In case of any drafts so made upon the security fund, the said grantee shall, upon thirty (30) days' notice in writing, pay to the Comptroller of The City of New York a sum of money sufficient to restore the said fund to the original amount of five thousand dollars (\$5,000), and in default of the payment thereof, the consent hereby given may be canceled and annulled, at the option of the Board of Estimate and Apportionment of The City of New York, acting on behalf of said City. No action or proceedings or rights under the provisions of this section shall affect any other legal rights, remedies or causes of action belonging to The City of New York.

14. Said grantee shall give notice to the President of the Borough of Manhattan, and to the Commissioner of Water Supply, Gas and Electricity, in writing, of its intention to begin construction of the work hereby authorized at least forty-eight (48) hours before such construction commences. The grantee shall also give to the Board of Estimate and Apportionment notice in writing of the date on which the work was commenced, and also the date on which the same was completed, not later than ten (10) days after such dates.

15. This consent shall not become operative until said grantee shall duly execute an instrument in writing wherein said grantee shall promise, covenant and agree on its part to conform to, abide by and perform all the terms, conditions and requirements in this consent fixed and contained, and file the same with the Board of Estimate and Apportionment of The City of New York within thirty (30) days after the approval of this consent by the Mayor.

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

The matter was then referred to the President of the Borough of Manhattan.

New York Central and Hudson River Railroad Company.

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

At the meeting of May 14, 1909, the railroad company was directed to complete the construction of said bridge on or before July 24, 1909, and advise this Board on or before May 24, 1909, what its intentions were with regard to complying with said resolution.

The Secretary presented the following:

NEW YORK CENTRAL AND HUDSON RIVER RAILROAD COMPANY,
LAW DEPARTMENT, GRAND CENTRAL TERMINAL,
NEW YORK, May 20, 1909.

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

Dear Sir—I have your favor of May 14 transmitting a certified copy of a resolution on that day adopted by the Board of Estimate and Apportionment directing the New York Central and Hudson River Railroad Company to comply with the provisions of the resolution adopted by that Board on May 1, 1908, and approved by the Mayor on May 8, 1908, requiring the construction of a foot-bridge over the tracks of the railroad company at Park Avenue and One Hundredth street before July 24, 1909, and further directing me to advise the said Board on or before May 24, 1909, whether it is the intention of this company to comply with the terms of such resolution, and in reply thereto I beg to advise that it is the intention of this company to comply with the terms of the said resolution.

Very truly yours,

IRVING A. PLACE, Vice-President.

Which was ordered filed.

Triborough Railroad Company.

A communication was received from the Mayor's office, returning, duly approved by his Honor the Mayor, resolution adopted by this Board May 14, 1909, fixing June 11, 1909, as the date for public hearing on the petition of the Triborough Railroad Company for a franchise, and designating the "New York Sun" and the "New York Tribune" as the daily newspapers in which notice of such hearing shall be published.

Which was ordered filed.

South Shore Traction Company.

A communication was received from the Mayor's office, returning, duly approved by his Honor the Mayor on May 20, 1909, resolution adopted by this Board on May 7, 1909, granting a franchise to the South Shore Traction Company to construct, maintain and operate a double track street surface railway from the Manhattan approach to the Queensboro Bridge, upon, along and over said bridge and its approaches, and upon and along various streets and avenues to the line dividing the Counties of Queens and Nassau.

Which was ordered filed.

Note—The contract as authorized by said resolution was executed by the Mayor and City Clerk and the President and Secretary of the Traction Company on May 20, 1909, and bears said date.

Samuel J. Hiram C. and Irving J. Bloomingdale.

Application received from Samuel J., Hiram C. and Irving J. Bloomingdale for permission to construct, maintain and use a conduit under and along Fifty-ninth street, connecting the stable and store of the petitioners, and to contain wires for the purpose of lighting the aforesaid stable by electricity.

Which was referred to the Chief Engineer.

A. T. Stewart Realty Company.

An application was received from the A. T. Stewart Realty Company for permission to construct, maintain and use a tunnel under and across Tenth street, connecting the buildings of the petitioner on the north and south sides of said street, Borough of Manhattan, to be used as a passageway for its employees and to contain pipes and wires for heating and lighting purposes.

Which was referred to the Chief Engineer.

Interborough Rapid Transit Company.

A resolution was received from the North Side Board of Trade, as adopted by said body, approving of a grant to the Interborough Rapid Transit Company of extensions north and south from East and West Forty-second street on condition that said company agreed to operate an extension up White Plains avenue, also extension up Westchester avenue, extend the Sixth and Ninth avenue elevated roads to Jerome avenue and third-track the Second and Third avenue elevated railroad lines.

Which was ordered filed.

Unused Street Surface Railway Tracks, Borough of Manhattan.

The Secretary presented the following:

MONAHAN'S EXPRESS COMPANY, I
NEW YORK, May 11, 1909.

The Honorable Board of Estimate and Apportionment, Manhattan.

GENTLEMEN—We, the undersigned, join in the protest of the property owners and others for the removal of unused and dangerous car tracks on Crosby street. We have an office at No. 165 Crosby street and are thoroughly acquainted with the conditions existing along said street, and know that the highly prancing car tracks not only frequently damage property and delay traffic but are also a menace to the lives and limbs of our employees, and we therefore respectfully urge that your Honorable Board cause said car tracks to be removed.

Yours very truly,

MONAHAN'S EXPRESS COMPANY,

D. W. MONAHAN.

Which was referred to the Corporation Counsel, who was directed at the meeting of June 28, 1907, to proceed against the respective companies owning tracks in the streets of the City not in use.

New York and Queens County Railway Company.

The Secretary presented the following:

COMMITTEE OF ONE HUNDRED,
BOROUGH OF QUEENS, May 7, 1909.

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

DEAR SIRS—At a meeting of this Committee held on Wednesday evening, May 5, the following resolution was adopted and a copy of same ordered forwarded to you for your kind consideration:

Whereas, The Queensboro Bridge is now completed at a cost of approximately twenty million dollars to the taxpayers of New York City; and

Whereas, No arrangements have thus far been made for through transportation over said bridge for a 5-cent fare from the large territory covered by the New York and Queens County Railroad Company, which road serves about 75 per cent. of the population of this Borough; and

Whereas, The assessed valuation of real property in this Borough has increased over 100 per cent. during the last three years, cheaper and better transportation facilities are necessary to justify and maintain this tremendous increase; therefore be it

Resolved, That the Board of Estimate and Apportionment be and is hereby petitioned to make every effort to reach some reasonable agreement with the New York and Queens County Railway Company regarding a franchise over said bridge; and be it further

Resolved, That the New York and Queens County Railway Company be and is hereby urged to accept any reasonable offer of a franchise over said bridge.

This we ask in the interest of the citizens and taxpayers in the Borough of Queens, and request earnest consideration of this matter; and be it further

Resolved, That a copy of this resolution be forwarded to the Board of Estimate and Apportionment of New York City and to the New York and Queens County Railway Company.

Yours very truly,

ERNEST SEIDEL, Chairman.

Scheuer Park, Long Island City.

Which was referred to the Select Committee, consisting of the Comptroller, the President of the Board of Aldermen and the Presidents of the Boroughs of Manhattan and Queens, to which the question of granting franchises over the Queensboro Bridge was referred at the meeting of June 12, 1908.

Harrison Street Cold Storage Company.

The Secretary presented the following:

CITY OF NEW YORK—DEPARTMENT OF FINANCE,

May 21, 1909.

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

Sir—The Harrison Street Cold Storage Company, of No. 7 Harrison street, Borough of Manhattan, is operating a plant from which it supplies cold air for refrigerating purposes to a number of warehouses in that vicinity. The said company has laid a number of pipes in Jay, Harrison, Staple and Hudson streets, through which the said warehouses obtain their supply of cold air, but there is no record in this Department which shows that it has ever received from the City the privilege to lay these pipes. If you have any data on file in your office showing that this company was granted permission by the City to use the street for the purpose above mentioned, I would be obliged if you will inform me thereof, and, if it has not received such permission, I would suggest that the Board of Estimate and Apportionment take action to compel it to obtain a franchise, as the City should be compensated for such a privilege.

Yours respectfully,

H. A. METZ, Comptroller.

REPORT NO. F-159.

BOARD OF ESTIMATE AND APPORTIONMENT,
OFFICE OF THE CHIEF ENGINEER,
May 25, 1909.

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

Sir—A communication has been received from the Comptroller under date of May 21, 1909, calling attention to the fact that the Harrison Street Cold Storage Company is operating pipes in Jay, Harrison, Staple and Hudson streets, in the Borough of Manhattan, and supplying cold storage by this means to a number of warehouses in the vicinity of these streets, and asking to be advised whether there is any record in this office of any consent ever having been given this company to maintain and use these pipes.

There is no record in this office of any grant ever having been given to the Harrison Street Cold Storage Company, but an examination of the assessments levied by the State Board of Tax Commissioners indicates that the company is taxed for pipes in Staple, Harrison, Jay, Greenwich and Hudson streets.

Resolutions have been prepared, and are herewith presented, together with the report of the Engineer in charge of the Division of Franchises, directing the Harrison

Street Cold Storage Company to advise the Board, before June 4 next, as to its authority for the operation of these pipes, and to furnish other data as to when they were laid and as to the customers supplied by them, and in case they were constructed without authority, to make application before the date named for their maintenance.

It is also suggested that the President of the Borough of Manhattan be requested to advise the Board prior to June 4 next whether any permits have been issued for the opening of any of the streets affected for this purpose and to furnish the Board with copies of such permits.

Respectfully,

NELSON P. LEWIS, Chief Engineer.

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

May 25, 1909.

Mr. NELSON P. LEWIS, Chief Engineer:

Sir—The Comptroller in a communication of May 21, 1909, calls the attention of the Board to the fact that the Harrison Street Cold Storage Company, of No. 7 Harrison street, in the Borough of Manhattan, is operating a plant from which it supplies cold air for refrigerating purposes to a number of warehouses in that vicinity by means of pipes laid in Jay, Harrison, Staple and Hudson streets, and requests to be advised whether there is any record of a right to such company for the construction and operation of such pipes, and if not, that the matter be brought to the attention of the Board in order that action may be taken to compel the company to obtain the necessary franchise from the City.

In reply thereto I would state an examination of the records in this office does not disclose any rights granted to the Harrison Street Cold Storage Company, but from an examination of the assessments levied by the State Board of Tax Commissioners I find that the said company is taxed upon the following pipes:

1. Pipe across Staple street, from No. 7 Harrison street to the southeast corner of Staple and Harrison streets.
2. Pipe across Harrison street, from No. 7 to No. 10.
3. Pipe across Jay street, from No. 21 to No. 20.
4. Pipe across Greenwich street, from No. 340 to No. 345.
5. Pipe across Harrison street, from No. 32 to No. 25.
6. Pipe across Hudson street.

This is a somewhat similar case to that of the Merchants' Refrigerating Company, which was before the Board during the year 1905, and was on September 29 of that year referred to the Comptroller and the President of the Borough of Manhattan, but no report has as yet been made.

In order that the request of the Comptroller may be carried out, I would recommend that the Board adopt resolutions calling upon the Harrison Street Cold Storage Company to advise the Board on or before June 4 upon what authority it is constructed and is maintaining the said pipes, when the same were laid, and how laid, whether driven or by the opening of the street, and furnish the Board with a map showing all the streets crossed, and the location of pipes, together with a list of all customers supplied, and in case such pipes were laid without authority to make formal application to the Board of Estimate and Apportionment on or before June 4 for the right to maintain and operate such pipe.

I would also suggest that the President of the Borough of Manhattan be requested to advise the Board on or before June 4 if any permits were issued to the Harrison Street Cold Storage Company for the opening of any of the streets named above for the purpose of laying such pipes, and to furnish copies of all such permits as issued.

Resolutions in accordance therewith are herewith attached.

Respectfully,

HARRY P. NICHOLS, Engineer in Charge.

The following was offered:

Whereas, It has been brought to the attention of this Board that the Harrison Street Cold Storage Company, of No. 7 Harrison street, is operating a plant from which it supplies cold air for refrigerating purposes to a number of warehouses in the vicinity of its plant; and

Whereas, The records of the Board do not show the authority under which such pipes have been laid or the right of the said company to use the streets in order to conduct a refrigerating business; now therefore be it

Resolved, That the Harrison Street Cold Storage Company be and the same is hereby directed to furnish to this Board on or before June 4, 1909, a certified copy of its articles of incorporation, and a copy of any authority which it has received from The City of New York to maintain any pipes in the streets of the City, and a map upon which it shall be shown all the pipes so laid in the streets of the City, together with a list of all customers so supplied; and be it further

Resolved, That in case the company has failed to receive the consent of The City of New York for the construction, maintenance and operation of such pipes within the streets of the City, that it shall forthwith apply to the Board of Estimate and Apportionment, by a petition duly verified, for the right to maintain and operate such pipes; and that such petition be forwarded to this Board on or before June 4, 1909; and be it further

Resolved, That the Secretary be directed to furnish a copy of the report this day presented by the Chief Engineer, together with a copy of these resolutions, upon the Harrison Street Cold Storage Company.

Which was adopted by the following vote:

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

The following was offered:

Resolved, That the President of the Borough of Manhattan be requested to furnish to this Board, not later than June 4, 1909, a statement in regard to the pipes laid by the Harrison Street Cold Storage Company, as set forth in the report this day presented to the Board by the Chief Engineer, and to accompany such statement by copies of any permits issued to the said company or others for the laying of the said pipes.

Which was adopted by the following vote:

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

Rapid Transit Railway, Third Modification of Lexington Avenue Route.

The Secretary presented the following:

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

The Public Service Commission for the First District submits herewith for your approval and consent and the approval of the Mayor, as the local authorities having control of the streets of the City, certified copies of resolutions adopted by it modifying the general plan of construction of the proposed Lexington Avenue Rapid Transit Railroad.

The Commission's plans in regard to the Lexington avenue system are sufficiently dealt with in prior communications, and it is only necessary at the present time to state the reasons for the modifications of the general plan now contemplated. Lexington avenue is a street only seventy-five feet wide, and the construction of the proposed road in strict accordance with the present general plan of construction as adopted by the former Rapid Transit Board and consented to and approved by you and the Mayor as the local authorities and by the Appellate Division of the Supreme Court in the First Department with all four tracks on the same level would appropriate sixty-five feet of the width of the street for the subway alone, without reference to space necessary for subsurface structures. Interference with abutting property would be increased

at stations, where the entire width of the street from building line to building line would probably be occupied. In preparing construction drawings in accordance with your request a design has been made for double-decking the portion of the route between Houston street and the Harlem River, which would greatly reduce any annoyance to abutting property owners, while at the same time increasing the capacity and efficiency of the road and materially decreasing the initial cost of construction. This modification will not prevent a connection between the Lexington avenue route and the present subway, nor will it interfere with the acceptance of any other proposition for construction and operation received by the Commission. While such a change is for the manifest benefit of property owners and will result in the improvement of the road, the Commission is advised by its counsel that there is some doubt whether, under the strict language of the present general plan, the Commission is authorized to build such a structure as the one proposed, and that it is better to remove now any doubt that may exist rather than to run the risk of litigation that might result if any attempt were made to build upon the existing routes and general plan.

In witness whereof, the Commission has caused its seal to be hereto affixed and this communication to be signed by its Chairman and Secretary, this 24th day of May, 1909.

PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT,

By W. R. WILLIAMS, Chairman.

Attest:

TRAVIS H. WHITNEY, Secretary.

The following was offered:

Resolved, That the communication be received and, in pursuance of law, the Board hereby appoints Friday, the 4th day of June, 1909, at 10:30 o'clock in the forenoon, at the time and place in City Hall, in the Borough of Manhattan, as the place, when and where such plans and conclusions will be considered; and be it further

Resolved, That the Secretary be and is hereby directed to cause notice of such consideration to be published in the City Record.

Which was adopted by the following vote:

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

The communication was then referred to the Chief Engineer.

New York and Queens County Railway Company.

A communication was received from the Mayor's office, returning, duly approved by the Honor the Mayor on May 24, 1909, resolution adopted by the Board May 21, 1909, granting a franchise in the New York and Queens County Railway Company to construct, maintain and operate a double track street surface railway, as an extension to its existing system, upon and along Delacorte or Second avenue, from Flushing to Jackson avenue, Borough of Queens.

Which was ordered filed.

New York City Interborough Railway Company.

In the matter of the petition of the New York City Interborough Railway Company, as follows:

(a) For relief from the obligations to pay for the use of bridges across the Harlem River and from all other payments required by the terms of the franchise granted by ordinance of the Board of Aldermen approved by the Mayor March 31, 1903, except such sums as shall be equal to 3 per cent. of its gross annual receipts during the first five years, and 5 per cent. of its gross annual receipts thereafter;

(b) For an extension of time until December 27, 1909, within which to complete twenty-four miles of double track railway.

At the meeting of May 14, 1909, a communication was received from the Chief Engineer, transmitting report from the Division of Franchises, together with a proposed form of contract, when the matter was referred to a Select Committee, consisting of the President of the Board of Aldermen, the Comptroller and the Presidents of the Boroughs of Manhattan and The Bronx.

The Secretary presented the following:

CITY OF NEW YORK,
BOARD OF ESTIMATE AND APPORTIONMENT,
May 26, 1909.

To the Board of Estimate and Apportionment:

GENTLEMEN—The undersigned joint Committee to which was referred on May 14 the report of the Division of Franchises upon the two petitions of the New York City Interborough Railway Company,

(a) For relief from the obligations to pay for the use of bridges across the Harlem River and from all other payments required by the terms of the franchise granted by ordinance of the Board of Aldermen, approved by the Mayor March 31, 1903, except such sums as shall be equal to 3 per cent. of its gross annual receipts during the first five years and 5 per cent. of its gross annual receipts thereafter.

(b) For an extension of time until December 27, 1909, within which to complete twenty-four miles of double track railway.

That it has examined the proposed form of contract and believes it to be equitable and just, and recommends that it be tentatively approved by the Board, placed upon the minutes and July 2, 1909, be fixed as a date for a final public hearing, the notice of which and the form of contract shall be published in two daily papers to be designated by the Mayor, and further that the proposed contract be submitted to the Corporation Counsel for his approval as to form and the insertion therein of such manner as he deems necessary to fully protect the interests of the City.

Respectfully submitted,

T. P. SULLIVAN, Acting President, Board of Aldermen.
H. A. METZ, Comptroller.
JOHN F. ALHEARN, President, Borough of Manhattan.
, President, Borough of The Bronx.

The following was offered:

Whereas, The New York City Interborough Railway Company has, under date of June 23, 1908, made application to this Board to be relieved from its obligations to make certain payments to the City required by the terms of its franchise granted by an ordinance of the Board of Aldermen, approved by the Mayor March 31, 1903, and by a petition under date of November 12, 1908, has made application for an extension of time within which to complete twenty-four miles of double track street surface railway; and

Whereas, Section 92 of the Railroad Law, and sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1908, provide for the manner and procedure of making such grants; and

Whereas, In pursuance of such laws, the Board adopted a resolution November 20, 1908, fixing the date for public hearing thereon as December 11, 1908, at which citizens were entitled to appear and be heard, and publication was had for at least two (2) days in the "New York Tribune" and the "New York Sun," newspapers designated by the Mayor, and in the City Record, for ten (10) days immediately prior to the date of hearing, and the public hearing was duly held on such day, and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the New York City Interborough Railway Company, and the adequacy of the compensation proposed to be paid therefor; now therefore it is

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

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

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

Whereas, On March 16, 1903, the Board of Aldermen of the City passed an ordinance entitled, "An ordinance granting to the New York City Interborough Railway Company the right or franchise to construct and operate a street surface railroad in, upon and along certain streets, avenues, parkways, highways and bridges of The City of New York"; and

Whereas, Said ordinance was, on March 31, 1903, approved by the Mayor of the City; and

Whereas, Thereafter, the Company, on April 3, 1903, filed with the Comptroller of the City a written acceptance, executed March 31, 1903, of said ordinance, and of the terms, conditions and provisions thereof, and an agreement to perform and observe the same; and

Whereas, In and by said ordinance the consent of the corporation of The City of New York was granted to the Company for the construction, maintenance and operation of the railroad of the Company upon certain enumerated streets, avenues, highways, etc., within said City, and across certain streets, avenues, highways, etc., as may be encountered in its route; and

Whereas, On May 6, 1903, the Company petitioned the Board of Railroad Commissioners of the State of New York for a certificate of public convenience and a necessity under section 59 of the Railroad Law, covering all the routes of said right or franchise with the exception of a portion of Route "First," and also for the certificate of said Board that the conditions prescribed in said section 59 had been complied with, which petition was denied on December 21, 1903; and

Whereas, The Company subsequently applied in the Appellate Division of the Supreme Court for an order directing the said Board of Railroad Commissioners to issue said certificate, and on December 23, 1904, the said Appellate Division rendered a decision directing said Board of Railroad Commissioners to grant such certificate with respect to certain of the routes described in said ordinance; and

Whereas, On January 12, 1905, said Board of Railroad Commissioners issued to the Company a certificate of public convenience and a necessity with respect to said certain of the routes described in said ordinance; and

Whereas, On June 16, 1905, the Appellate Division issued an order extending the time required to complete twenty-four miles of double track railway from July 1, 1905, as required by section 6 of said ordinance, to June 1, 1906, and on May 28, 1906, a similar order was given extending such time to June 1, 1907; and

Whereas, Petitions dated June 26, 1905; June 21, 1906, and March 12, 1907, were presented by the company to the Board praying for the consent of said Board, as the local authority, to the relinquishment of part of the routes described in said ordinance, and to the substitution thereof of other routes, and also a petition dated May 16, 1906, praying for an extension of time within which to complete the double track railway as prescribed in section 6 of said ordinance; and

Whereas, A contract bearing date of June 25, 1907, was entered into between the company and the City, giving the consent of the City to said alteration of its routes and extending the time within which to complete twenty-four miles of double track railway eighteen months from the date of the execution of said contract by the Mayor; and

Whereas, On November 12, 1908, the company petitioned the Board for a further extension of time within which to complete its railway; and

Whereas, On December 11, 1908, a resolution was adopted by the Board which further extended the time within which to complete twenty-four miles of railway to and including June 27, 1909; and

Whereas, Under date of June 23, 1908, the company petitioned the Board to be relieved from the obligation of making the annual payments for the use of the bridges across the Harlem River specified in section 2 fourth of said ordinance, and also from all other payments specified in section 2 fourth of said ordinance, excepting such sums as shall be equal to 3 per cent of its gross annual receipts during the first five years and 5 per cent thereafter.

Now, therefore, In consideration of the premises and of the mutual covenants herein contained, the parties do hereby covenant and agree as follows:

Section 1. The City hereby consents, subject to the conditions and provisions hereinafter set forth, to the change or amendments to the said right or franchise, as expressed in said ordinance adopted by the Board of Aldermen on March 16, 1903, and approved by the Mayor on March 31, 1903, as amended by said contract bearing date of June 25, 1907, said changes or amendments to be as follows:

1. Section 1 as contained in said ordinance, and amended by said contract shall be amended to read as follows:

"Section 1. The City hereby grants to the New York City Interborough Railway Company, subject to the conditions and provisions hereinafter set forth, the franchise, right and privilege to construct and operate a double-track surface railway, with all connections, turnouts, switches, crossovers, and suitable stands necessary for the accommodation and operation of said railway, by the overhead system of electricity, or any other motive power which may be lawfully employed upon the same, in, upon and along the following named streets, avenues, parkways, highways, public places, bridges and viaducts and crossing intersecting streets and highways, all situated in the Boroughs of Manhattan and The Bronx, City, County and State of New York, namely:

"First—Commencing at a point on the One Hundred and Fifty-fifth street viaduct, between Bradhurst and Eighth avenues and on a line parallel with the westerly line of the Manhattan Elevated Railway Company's station at Eighth avenue and One Hundred and Fifty-fifth street; running thence easterly and along said viaduct to the Central or Macomb's Dam Bridge; thence running northerly upon and along said bridge to the westerly approach thereof known as the Sedgwick avenue approach, formerly called Ogden avenue approach thereto, in the Borough of The Bronx; thence northerly on and along said approach to its intersection with Jerome avenue; thence northeasterly on and along Jerome avenue to its intersection with Ogden avenue; thence on and along Ogden avenue northerly to its intersection with Aqueduct avenue; thence northeasterly on and along Aqueduct avenue to Kingsbridge road; thence westerly on and along Kingsbridge road to Sedgwick avenue; thence northeasterly on and along Sedgwick avenue to Boston avenue; thence northwesterly on and along Boston avenue to Heath avenue or Fort Independence street; thence westerly on and along Heath avenue or Fort Independence street to Fort Independence street; thence northerly on and along Fort Independence street to Bailey avenue; thence northerly on and along Bailey avenue to East Two Hundred and Thirty-eighth street; thence northwesterly on and along East and West Two Hundred and Thirty-eighth street to Broadway.

"Second—Commencing at the Rapid Transit station, at the intersection of West One Hundred and Eighty-first street with St. Nicholas avenue, in the Borough of

Manhattan; thence on and along said West One Hundred and Eighty-first street in an easterly direction to Washington Bridge; thence along and over Washington Bridge easterly to Aqueduct avenue, Borough of The Bronx; thence northeasterly on and along Aqueduct avenue to Tremont avenue; thence easterly on and along Tremont avenue as it winds and turns to the transverse road under the Grand Boulevard and Concourse connecting said Tremont avenue; thence easterly on and along the transverse road under the Grand Boulevard and Concourse again to Tremont avenue; thence easterly on and along Tremont avenue in Webster avenue; thence northeasterly on and along Webster avenue upon the tracks of the Union Railway Company of New York City to East One Hundred and Eightieth street; thence easterly on and along said East One Hundred and Eightieth street to Southern boulevard.

"Third—Commencing at the intersection of Broadway and Muscoota street; thence easterly on and along Muscoota street to Kingsbridge road; thence on and along Kingsbridge road over the proposed viaduct or bridge crossing the railroad tracks of the New York and Putnam Railroad Company and the New York Central and Hudson River Railroad Company and across Spuyten Duyvil Creek in and still easterly on and along Kingsbridge road as the same winds and turns in its intersection with the transverse road under the Grand Boulevard and Concourse connecting said Kingsbridge road; thence easterly on and along said transverse road again to Kingsbridge road; thence southerly and easterly on and along Kingsbridge road to its intersection with Third and Pelham avenues; thence on and along Third avenue southerly to East One Hundred and Eighty-ninth street; thence southeasterly on and along East One Hundred and Eighty-ninth street to Beaumont avenue; thence northeasterly on and along Beaumont avenue again to East One Hundred and Eighty-ninth street; thence easterly on and along East One Hundred and Eighty-ninth street to Southern boulevard; thence southerly on and along Southern boulevard to East One Hundred and Eightieth street; thence southeasterly on and along East One Hundred and Eightieth street to Boston road; thence southerly on and along Boston road to East One Hundred and Seventy-seventh street; thence easterly on and along West Farms road or East One Hundred and Seventy-seventh street to and across the Eastern boulevard again to East One Hundred and Seventy-seventh street; thence easterly on and along East One Hundred and Seventy-seventh street to and ending at Locust Point on Long Island Sound.

"Fourth—Commencing at West One Hundred and Forty-fifth street, west of Lenox avenue, Borough of Manhattan, running thence easterly on and along said West One Hundred and Forty-fifth street to and over the One Hundred and Forty-fifth Street Bridge over the Harlem River, to East One Hundred and Forty-fifth street, Borough of The Bronx; thence in an easterly direction on and along said East One Hundred and Forty-fifth street to St. Ann's avenue; thence northerly on and along St. Ann's avenue to East One Hundred and Fifty-sixth street; thence easterly on and along said East One Hundred and Fifty-sixth street to its intersection with Leggett avenue, or Craven street; thence southerly and easterly on and along Leggett avenue or Craven street to its intersection with Dawson street; thence southeasterly on and along Leggett avenue to its intersection with Randall avenue; thence easterly on and along Randall avenue to the Bronx River.

"Fifth—Commencing at Dongan street and Intervale avenue, Borough of The Bronx, running thence easterly on and along Dongan street to Southern Boulevard and Hunts Point road; thence southeasterly on and along Hunts Point road to Long Island Sound."

2. The fourth subdivision of section 2 of said ordinance shall be amended to read as follows:

"The New York City Interborough Railway Company, its successors or assigns, shall pay for this franchise to The City of New York the following sums of money:

"During the first period of this franchise ending on September 30, 1907, an annual sum which shall in no case be less than fifteen thousand dollars (\$15,000) and shall be equal to 3 per cent of its gross annual receipts, if such percentage shall exceed the sum of fifteen thousand dollars (\$15,000).

"During the remainder of the original term of twenty-five years of this franchise an annual sum which shall not be less than eight thousand five hundred dollars (\$8,500), and which shall be equal to 5 per cent of its gross annual receipts if such percentage shall exceed the sum of eight thousand five hundred dollars (\$8,500).

"In addition to the above, the company shall pay for the use of the three bridges above described, during the first period of this franchise ending on September 30, 1907, the annual sum of four thousand dollars (\$4,000) for each bridge.

"During the succeeding period beginning on September 30, 1907, and ending ten years from the date of this franchise, an annual sum of two thousand two hundred and fifty dollars (\$2,250) for each bridge.

"During the succeeding five years of this franchise an annual sum of two thousand five hundred dollars (\$2,500) for each bridge.

"During the succeeding five years of this franchise an annual sum of two thousand seven hundred and fifty dollars (\$2,750) for each bridge, and

"During the remaining five years of this franchise an annual sum of three thousand dollars (\$3,000) for each bridge.

"Such sums shall be paid into the Treasury of The City of New York on November 1 in each year, after the commencement of the operation of any portion of the railroad, provided, however, that the first payment shall only be for that proportion of the above sums as the time of the commencement of operation of any portion of the road, before September 30, next preceding, shall bear to the whole of one year. The fiscal year shall end on September 30, next preceding said date of payment, and the provisions of the Railroad Law as it now exists, or as it may hereafter be amended, relating to the manner of payments and statements of percentages of gross receipts of street railway companies shall be strictly followed. The intention of this paragraph is to fix an annual charge to be paid by the grantee, its successors or assigns, to The City of New York for the rights and franchises hereby granted, and it shall not be construed as providing for the payment by the grantee, its successors or assigns of a percentage of gross receipts within the meaning of any general or special statute, referring particularly to chapter 340 of the Laws of 1892."

3. Section 6 of said ordinance shall be amended to read as follows:

"The company shall complete the construction and put in operation a railway upon the entire length of each of the routes hereinbefore described on or before March 24, 1912, otherwise the franchise, right and privilege to construct such railway upon the routes or portions of routes not then constructed and in full operation shall cease and determine."

Sec. 2. The grant of this privilege is subject to the following conditions:

First—The company covenants and agrees to abandon and relinquish, and does hereby abandon and relinquish to the City all its rights and franchises to construct, maintain and operate a street surface railway over the routes, or portions of routes, described in section 1 of said ordinance, approved by the Mayor on March 31, 1903, and amended by contract bearing date of June 25, 1907, but not described in section 1 of said ordinance as amended by this contract, and the company shall, within one year from the date on which this contract is signed by the Mayor, comply with the provisions of law in regard to the abandonment of the routes, or portions of routes, so abandoned and relinquished, and remove therefrom any and all existing tracks of the company, otherwise this contract shall be void and of no effect.

Second—This contract shall not become effective unless within thirty (30) days from the date hereof the company shall pay to the City all sums due pursuant to the fourth subdivision of section 2 of said ordinance approved by the Mayor on March 31, 1903, as hereby amended.

Third—All the terms and conditions contained in the said ordinance approved by the Mayor March 31, 1903, as modified or amended by contract bearing date of June 25, 1907, excepting those which are herein amended or modified, shall remain unchanged, and shall apply to the routes herein described in section 1 of this contract with the same force and effect as when they applied to the routes described in said ordinance approved March 31, 1903, as amended by said contract bearing date of June 25, 1907, and as though the routes herein described had been specifically described in said ordinance.

Sec. 3. The company promises, covenants and agrees on its part and behalf to conform to and abide by and perform all the terms, conditions and requirements in this contract fixed and contained.

It witness whereof, the party of the first part, by its Mayor, thereunto duly authorized by the Board of Estimate and Apportionment of said City, has caused the corporate name of said City to be hereunto affixed; and the party of the second part, by its officers, thereunto duly authorized, has caused its corporate name to be hereunto

signed and its corporate seal to be hereunto affixed, the day and year first above written.

[CORPORATE SEAL.]

THE CITY OF NEW YORK,
By Mayor.

Attest:

City Clerk.

NEW YORK CITY INTERBOROUGH RAILWAY COMPANY,
[SEAL] By President.

Secretary.

(Here add acknowledgements.)

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, including the provision as to rates, fares and charges, are as hereinbefore specified and fully set forth in and by the foregoing form of proposed contract for the grant of such franchise or right.

Resolved, That these preambles and resolutions, including the said resolution for the grant of the franchise or right applied for by the New York City Interborough Railway Company, and the said form of proposed contract for the grant of such franchise or right containing said results of such inquiry, after the same shall be entered in the minutes of the Board, shall be published for at least twenty (20) days immediately prior to Friday, July 2, 1909, in the City Record, and at least twice during the ten days immediately prior to Friday, July 2, 1909, in two daily newspapers to be designated by the Mayor therefor and published in The City of New York, at the expense of the New York City Interborough Railway Company, together with the following notice, to wit:

Notice is hereby given, That the Board of Estimate and Apportionment, before authorizing any contract for the grant of the franchise or right applied for by the New York City Interborough Railway Company, and fully set forth and described in the foregoing form of proposed contract for the grant of such franchise or right, and before adopting any resolution authorizing any such contract, will, at a meeting of said Board, to be held in the old Council Chamber, City Hall, Borough of Manhattan, City of New York, on Friday, July 2, 1909, at 10:30 o'clock a.m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard; and be it further

Resolved, That previous to the publication of the resolution, form of contract and notice of hearing thereon, the form of contract be referred to the Corporation Counsel for approval as to form and to incorporate therein such matter as he may deem advisable to fully protect the interests of the City.

Which was adopted by the following vote:

Affirmative—The Mayor, the Comptroller, the Presidents of the Boroughs of Manhattan, The Bronx and Queens, and the Acting Presidents of the Board of Aldermen and the Borough of Richmond—14.

Negative—The President of the Borough of Brooklyn—2.

The full minutes of the meeting of this day will appear in the City Record at a later date.

JOSEPH HAAG, Secretary.

POLICE DEPARTMENT.

May 26, 1909.

Herewith is transmitted for publication in the City Record a list of deaths, retirements, etc., from May 17 to 22, 1909:

May 17.

Employed as Patrolman—Michael Donahue, taking effect May 14, 1909.

Retired—Patrolman George H. Rau, Two Hundred and Eighty-third Precinct, on Police Surgeon's certificate, at \$837 per annum, taking effect 12 midnight, May 14, 1909. Appointed March 6, 1891.

May 18.

Retired—Patrolman Joseph Flanigan, Twenty-third Precinct, on Police Surgeon's certificate, at \$837 per annum, taking effect 12 midnight, May 17, 1909. Appointed November 25, 1896.

May 20.

Retired—On Police Surgeon's certificate, taking effect 12 midnight, May 19, 1909. Lieutenant John W. Smith, Sixty-eighth Precinct, at \$1,000 per annum, appointed April 18, 1883; Patrolman William B. Hill, Seventeenth Precinct, at \$159 per annum, appointed April 11, 1896; Patrolman Thomas F. Reilly, Sixty-fifth Precinct, at \$367 per annum, appointed March 8, 1893; Patrolman Michael D. Bentz, Bridge Precinct C, at \$696 per annum, appointed July 2, 1889; Patrolman John Finley, Traffic Precinct A, at \$700 per annum, appointed May 9, 1885.

Dismissed the Force—Patrolman John P. Madigan, Sixteenth Precinct, taking effect 11 a.m., May 20, 1909; charges, neglect of duty, conduct unbecoming an officer and violation of rules.

Employed as Hostler—John J. Carey, taking effect May 19, 1909.

THOMAS A. BINGHAM, Police Commissioner.

The following increases of salaries were made, to take effect June 1, 1909:

Florence M. Miller, Stenographer and Typewriter, \$1,050 to \$1,150 per annum.

Frank H. Densler, Transmitter and Computer, \$960 to \$1,200 per annum.

Albert F. Durfey, Bookman, was promoted to the position of Transmitter, with compensation at the rate of \$1,200 per annum, to take effect June 1, 1909.

Separations.

Kenneth B. Emerson, Assistant Engineer, May 23; appointed Assistant Engineer, Designer.

Edmund J. Maurer, Draughtsman, May 17; appointed Division Engineer.

Thomas C. Atwood, Designing Engineer, May 17; appointed Division Engineer.

Appointments.

Thomas C. Atwood, No. 207 Woodworth avenue, Yonkers, N. Y., Division Engineer, \$3,600 per annum, May 18.

Edmund J. Maurer, Glenbrook avenue, Yonkers, N. Y., Division Engineer, \$4,000 per annum, May 18.

Frederick L. Grouwer-Archer, No. 471 Forty-first street, Brooklyn, Inspector, \$4,50 per day, May 22 (15-day emergency appointment).

Alan K. More, No. 1886 Bathgate avenue, The Bronx, Rodman, \$840 per annum, May 19.

John Pringle, No. 198 Brown place, Axe-man, \$840 per annum, May 17.

Kenneth B. Emerson, No. 36 South Elliott place, Brooklyn, Assistant Engineer, Designer, \$2,100 per annum, May 24.

Edwin H. Assenheimer, No. 308 East Fifty-third street, Clerk, \$540 per annum, May 24.

William R. Smith, Fulton street, Wakefield, N. Y., Axe-man, \$840 per annum, May 24.

Henry C. Adams, Peekskill, N. Y., Clerk, \$840 per annum, May 20.

At the meeting held May 26, 1909, the salaries of the following Assistant Engineers were fixed at the following rates, respectively, to take effect June 1, 1909:

Edwin F. Searle, \$2,700 per annum.

Albert A. Northrup, \$2,700 per annum.

James A. Gartrude, \$2,400 per annum.

Winfred D. Hubbard, \$2,400 per annum.

Henry L. Connell, \$2,400 per annum.

George P. O'Connell, \$2,400 per annum.

John P. Hogan, \$2,700 per annum.

Charles U. Stenaph, \$2,400 per annum.

Bertrand H. Wait, \$2,400 per annum.

Edward Avery, \$2,400 per annum.

George P. Wood, \$2,700 per annum.

Charles S. Shaughnessy, \$2,400 per annum.

Ralph W. Greenlaw, \$2,400 per annum.

William B. Hunter, \$2,400 per annum.

TENEMENT HOUSE DEPARTMENT.

May 28—Temporary appointments in the service of the Tenement House Department:

First Grade Clerk, Temporary Appointment, Salary \$800 Per Annum.

John Bennett Hill, No. 3725 White Plains avenue, The Bronx.

Samuel A. Mills, No. 134 West Sixty-first street.

These appointments to take effect at the beginning of business, Thursday, May 27, 1909.

DEPARTMENT OF DOCKS AND DERRICKS.

May 27—The Commissioner has appointed Edward Bryant, of No. 48 Kane avenue, Rockaway Beach, Borough of Queens, to the position of Ticker Clepper, with pay at the rate of \$30 per month while employed.

May 26—The Commissioner has appointed John A. Skelly and Joseph A. Crotin, Clerks, from second grade to the third grade, pay to be at the rate of \$1,300 per annum, and he has also promoted John J. Colleton, Clerk, from third grade to fourth grade, with pay at the rate of \$1,800 per annum, all to take effect June 1, 1909.

Charles P. Carr, appointed to the position of Deckhand, has declined on account of physical disability. In view of the declination, the appointment has been rescinded by the Commissioner.

DEPARTMENT OF BRIDGES.

May 28—Death of Daniel H. Quaid, late of No. 246 East Fourteenth street, Brooklyn, employed as Messenger at \$1,200 per annum, which occurred on May 28, 1909.

Death of C. F. Davis, late of No. 194 Flatbush avenue, Brooklyn, employed as a Machinist, at \$450 per day, which occurred on May 21, 1909.

DEPARTMENT OF PARKS.

Borough of The Bronx.

May 28—Appointment of John Speckman, Main and Poplar streets, Gardener, at a compensation at the rate of \$2,50 per diem, to take effect May 29, 1909.

BOROUGH OF BROOKLYN.

Bureau of Buildings.

May 28—Supplementing notice of the 27th inst. notifying you that there had been fixed the salaries of Inspectors of Carpentry and Masonry in this Bureau, Chas. E. Aldridge at \$1,500 per annum, and John C. Vaughan at \$1,350 per annum; said salaries are to date from June 1, 1909, instead of May 1.

PUBLIC HEARINGS.

Public notice is hereby given that the Committee on Buildings of the Board of Aldermen will hold a public hearing in the Aldermanic Chamber, City Hall, Borough of Manhattan, on Wednesday, June 2, 1909, at 2 o'clock p.m., in relation to the proposed Building Code.

All persons interested in this matter are respectfully invited to attend.

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

Public notice is hereby given that the Committee on Laws and Legislation of the Board of Aldermen will hold a public hearing in the Aldermanic Chamber, in the City Hall, Borough of Manhattan, on Friday, June 4, 1909, at 1 o'clock p.m., on the following matter:

Ordinance to regulate the sale, weight and quality of bread offered for sale.

All persons interested in the above matter are respectfully invited to attend.

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

OFFICIAL DIRECTORY.

STATEMENT OF THE HOURS DURING WHICH THE PUBLIC OFFICES IN THE CITY ARE OPEN FOR BUSINESS AND AT WHICH THE COURTS REGULARLY OPEN AND ADJOURN AS WELL AS THE PLACES WHERE SUCH OFFICES ARE HELD AND SUCH COURTS ARE HELD, TOGETHER WITH THE HEADS OF DEPARTMENTS AND COURTS.

CITY OFFICES.

MAYOR'S OFFICE.

No. 5 City Hall, 9 a.m. to 4 p.m., Saturdays, 9 a.m. to 12 m.

Telephone, 200 Cortlandt.

GEORGE B. McCLELLAN, Mayor.

Frank M. O'Brien, Secretary.

William A. Willis, Executive Secretary.

James A. Kieran, Chief Clerk and Land and Warrant Clerk.

BUREAU OF WEIGHTS AND MEASURES.

Room 7, City Hall, 9 a.m. to 4 p.m., Saturdays, 9 a.m. to 12 m.

Telephone, 200 Cortlandt.

Francis V. S. Oliver, Jr., Chief of Bureau.

Principal Office, Room 1, City Hall.

Branch Office, Room 12, Borough Hall, Brooklyn.

Branch Office, Richmond Borough Hall, Room 23, New Brighton.

Branch Office, Hackett Building, Long Island City, Borough of Queens.

AQUEDUCT COMMISSIONERS.

Room 207, No. 280 Broadway, 3rd floor, 9 a.m. to 4 p.m.

Telephone, 200 Cortlandt.

The Mayor, the Comptroller, ex-officio. Commissioners John F. Cowan (President), William H. Van Eek, John J. Ryan and John P. Winslow; Harry W. Walker, Secretary; Walter H. Sears, Chief Engineer.

ARMORY BOARD.

Mayor George B. McClellan, the Comptroller, Herman A. Metz, the President of the Board of Aldermen, Patrick T. McGowan, Brigadier-General George Munro Smith, Brigadier-General John J. Eddy, Captain J. W. Miller, the President of the Department of Taxes and Assessments, Lawson Purdy.

Harris Davis, Secretary, Room 8, Basement, Hall of Records, Chambers and Centre streets.

Office hours, 9 a.m. to 4 p.m.; Saturdays, 9 a.m. to 12 m.

Telephone, 200 Cortlandt.

ART COMMISSION.

City Hall, Room 21.

Telephone, 200 Cortlandt.

Robert W. de Forest, Trustee. Metropolitan Museum of Art, President Frank D. Millet, Painter.

Vice-President, John B. Pinn, Sculptor.

A. Augustus Healy, President of the Brooklyn Institute of Arts and Sciences; George D. McJilton, Mayor of the City of New York; John Bigelow, President of New York Public Library; Arnold W. Bennett, Architect; Charles Hosmer Morse, President; B. Pratt, Herbert Adams, Sculptor.

John Quinn Adams, Assistant Secretary.

BELLEVUE AND ALLIED HOSPITALS.

Office, Bellevue Hospital, Twenty-sixth street and First avenue.

Telephone, 440 Madison Square.

Board of Trustee—Dr. John W. Brashears, President; James K. Fullerton, Secretary; James A. Farley, Samuel S. Lewis, Leonard Stern, John G. O'Keeffe, Allen M. Kossler, Robert W. Hopper, Trustee.

BOARD OF ALDERMEN.

No. 12 City Hall, 9 a.m. to 4 p.m., Saturdays, 9 a.m. to 12 m.

Telephone, 200 Cortlandt.

Patrick F. McGowan, President.

P. J. Scully, City Clerk.

BOARD OF ASSESSORS.

Office, No. 330 Broadway, 9 a.m. to 4 p.m., Saturdays, 12 m.

Antonio Zucca.

Paul Weissman.

James H. Kennedy.

William H. Jasper, Secretary.

Telephone, 200 Cortlandt.

BOARD OF ELECTIONS.

Headquarters General Office, No. 107 West Party Street.

Commissioners—John T. Dooling (President), Charles E. Page (Secretary), Edmund C. Fuller, James K. Ang.

Michael T. Daly, Chief Clerk.

Telephone, 200 Bryant.

Arthur S. Tuttle, Engineer in charge Division of Public Improvements, No. 277 Broadway, Room 408. Telephone, 288 Worth.
Harry P. Nichols, Engineer in charge Division of Firehouses, No. 277 Broadway, Room 501. Telephone, 288 Worth.

BOARD OF EXAMINERS.

Rooms 607 and 608 Metropolitan Building, No. 1 Madison Avenue, Borough of Manhattan, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m. Telephone, 288 Gramercy.
Warren A. Cottier, Charles Bush, Lewis Hardon, Charles G. Smith, Edward F. Coker, William A. Boring and George A. Just, Chairman.
Edward V. Hartin, Clerk.
Board meeting every Tuesday at 2 p. m.

BOARD OF PAROLE OF THE NEW YORK CITY REFORMATORY FOR MISDEMEANANTS.

Office, No. 148 East Twentieth street.
John J. Barry, Commissioner of Correction.
Wm. E. Pratt, Judge, Special Sessions, First Division.
Robert J. Wilkin, Judge, Special Sessions, Second Division.
Edward J. Dooley, City Magistrate, Second Division.
Samuel B. Hamburger, John C. Heintz, Dominick Di Dario, James P. Doyle.
Thomas R. Minnick, Secretary.

BOARD OF REVISION OF ASSESSMENTS.

Herman A. Metz, Comptroller.
Francis K. Pendleton, Corporation Counsel.
Lawson Purdy, President of the Department of Taxes and Assessments.
Henry J. Sauer, Chief Clerk, Finance Department, No. 280 Broadway.
Telephone, 288 Worth.

BOARD OF WATER SUPPLY.

Office, No. 280 Broadway.
John A. Besso, Charles N. Chadwick, Charles A. Shaw, Commissioners.
Thomas Hassett, Secretary.
J. Wakeman Smith, Chief Engineer.

COMMISSIONERS OF ACCOUNTS.

Rooms 104 and 105 Stewart Building, No. 280 Broadway, 9 a. m. to 4 p. m.
Telephone, 288 Worth.
John Purroy Mitchell, Henry C. Danck, Commissioners.

CHANGE OF GRADE DAMAGE COMMISSION.

TWENTY-THIRD AND TWENTY-FOURTH WARDS.
Office of the Commission, Room 125, No. 280 Broadway (Stewart Building), Borough of Manhattan, New York City.
Commissioners—William E. Stillings, George C. Norton, Lewis A. Abrams.
Lambert McLaughlin, Clerk.
Regular advertised meetings on Monday, Wednesday and Friday of each week at 2 o'clock p. m.

CITY CLERK AND CLERK OF THE BOARD OF ALDERMEN.

City Hall, Rooms 11, 12, 13 to 4 a. m. to 4 p. m.; Saturdays, 12 a. m. to 12 m.
Telephone, 288 Cortlandt.
P. J. Scully, City Clerk and Clerk of the Board of Aldermen.
Joseph F. Prendergast, First Deputy.
John T. Oakley, Chief Clerk of the Board of Aldermen.
Joseph V. Sculley, Clerk, Borough of Brooklyn.
Thomas J. McCabe, Deputy City Clerk, Borough of The Bronx.
William E. Zimmerman, Deputy City Clerk, Borough of Queens.
Joseph F. O'Gallagher, Deputy City Clerk, Borough of Richmond.

CITY MUSICO OFFICE.

BUREAU OF PRINTING, STATIONERY AND BLANK BOOKS.
Supervisor's Office, Park Row Building, No. 21 Park Row, Entrance, Room 207, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 288 and 298 Cortlandt. Supply Room, No. 2, City Hall.
Patrick J. Tracy, Supervisor; Henry McMillen, Deputy Supervisor; C. McKeown, Secretary.

COMMISSIONER OF LICENSES.

Office, No. 277 Broadway.
John S. Bogart, Commissioner.
James P. Archibald, Deputy Commissioner.
John L. Caldwell, Secretary.
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 288 Worth.

COMMISSIONERS OF SINKING FUND.

George B. McClellan, Mayor, Chairman; Herman A. Metz, Comptroller; James J. Martin, Chamberlain; Patrick F. McGowan, President of the Board of Aldermen, and Timothy F. Sullivan, Chairman Finance Committee, Board of Aldermen, Members.

N. Taylor Phillips, Deputy Comptroller, Secretary Office of Secretary, Room 12, Stewart Building.

Telephone, 288 Worth.

DEPARTMENT OF BRIDGES.

Rooms 12-14 Park Row.
James W. Stevenson, Commissioner.
John H. Little, Deputy Commissioner.
Edgar E. Schiff, Secretary.
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 288 Cortlandt.

DEPARTMENT OF CORRECTION.

CENTRAL OFFICE.
No. 148 East Twentieth Street. Office hours from 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 288 Gramercy.
John J. Barry, Commissioner.
George W. Meyer, Deputy Commissioner.
John B. Fitzgerald, Secretary.

DEPARTMENT OF DOCKS AND PIERS.

Over "A" N. R. Battery place.
Telephone, 288 Recife.
Allen H. Stevens, Commissioner.
Dennis A. Judge, Deputy Commissioner.
Joseph W. Savage, Secretary.
Office hours, 9 a. m. to 4 p. m.; Saturdays, 9 a. m. to 12 m.

DEPARTMENT OF EDUCATION.

BOARD OF EDUCATION.
Park Avenue and Fifty-ninth street, Borough of Manhattan, 9 a. m. to 5 p. m. (in the month of August, 9 a. m. to 4 p. m.); Saturdays, 9 a. m. to 12 m.
Telephone, 288 Plaza.

Stated meetings of the Board are held at 2 p. m. on the first Monday in February, the second Wednesday in July, and the second and fourth Wednesdays in every month, except July and August.

Richard B. Aldrich, Jr.; Nicholas J. Barnett, Charles E. Bruce, M. D.; Joseph E. Cosgrove; Frederic R. Coudert, Francis W. Crowningshield; Francis P. Curran, Thomas M. De Lacy, Horace E. Dresser, Alexander Ferris, Joseph G. Francis, George Freifeld, George J. Gillespie, John Greene, Lewis Haase, Robert L. Harrison, Louis Hagen, M. D.; Thomas J. Higgins, James P. Holland, Arthur Hallock, Hugo Kaelzer, Max Katsenbach, Edward Lazarus, Alfred H. Max, Clement March, Mitchell May, Robert E. McCafferty, Dennis J. McDonald, M. D.; Ralph McKee, Frank W. Meyer, Thomas J. O'Donohue, Henry H. Osher, Arthur S. Somers, Abraham Stern, M. Samuel Stern, Cornelius J. Sullivan, James E. Sullivan, Michael J. Sullivan, Bernard Suydam, Robert B. Thomas, John R. Thompson, George A. Vanmills, Frank D. Wilsey, George W. Wingate, Egerton L. Winthrop, Jr., members of the Board. (One vacancy.)

Egerton L. Winthrop, Jr., President.
John Greene, Vice-President.
A. Emerson Palmer, Secretary.

Fred H. Johnson, Assistant Secretary.
C. B. J. Snyder, Superintendent of School Buildings.

Patrick Jones, Superintendent of School Supplies.
Henry E. M. Cusk, Auditor.
Thomas A. Dillon, Chief Clerk.
Henry M. Lampert, Supervisor of Lectures.
Claude G. Leibet, Superintendent of Libraries.
A. J. Stague, Supervisor of Jamers.

BOARD OF SUPERINTENDENTS.

William H. Maxwell, City Superintendent of Schools, and Andrew W. Edson, John H. Hansen, Clarence E. Maloney, Thomas S. O'Brien, Edward B. Swallow, Edward L. Stevens, Gustave Straubmuller, John H. Walsh, Associate City Superintendents.

DISTRICT SUPERINTENDENTS.

Darwin L. Birdwell, William A. Campbell, John J. Chickering, John W. Davis, John Dwyer, James M. Edsall, Matthew J. Flanigan, Edward D. Farrell, Cornelius D. Franklin, John Griffin, M. D.; John L. N. Hunt, Henry W. Johnson, James Lee, Charles W. Lynn, James J. McCabe, William J. O'Shea, Julia Richman, Alfred T. Schaeffer, Albert Shultz, Edgar Otto Shimer, Seth T. Stewart, Edward W. Stitt, Grace C. Strachan, Joseph S. Taylor, Joseph H. Wade, Evangeline E. Whitney.

BOARD OF EXAMINERS.

William H. Maxwell, City Superintendent of Schools, and James C. Byrnes, Walter L. Harvey, Jerome A. O'Connell, George J. Smith, Examiners.

DEPARTMENT OF FINANCE.

Stewart Building, Chambers street and Broadway, 9 a. m. to 5 p. m.; Saturdays, 9 a. m. to 12 m.
Telephone, 288 Worth.

Henry A. Metz, Comptroller.
John H. McCuskey and N. Taylor Phillips, Deputy Comptrollers.

Hubert L. Smith, Assistant Deputy Comptroller.
Paul Lester, Secretary to Comptroller.

MAIN DIVISION.

H. J. Storrs, Chief Clerk, Room 11.

BOOKKEEPING AND ACCOUNTS DIVISION.

Frank W. Smith, Chief Accountant and Bookkeeper, Room 2.

STOCK AND BOND DIVISION.

James J. Sullivan, Chief Stock and Bond Clerk, Room 85.

BUREAU OF AUDIT—MAIN DIVISION.

P. H. Quise, Chief Auditor of Accounts, Room 27.

LAW AND ADJUSTMENT DIVISION.

Jeremiah T. Mahoney, Auditor of Accounts, Room 185.

BUREAU OF MUNICIPAL INVESTIGATION AND STATISTICS.

Charles S. Hervey, Supervising Statistician and Examiner, Room 180.

CHARITABLE INSTITUTIONS DIVISION.

David C. Potter, Chief Examiner of Accounts of Institutions, Room 35.

OFFICE OF THE CITY PAYMASTER.

No. 82 Chambers street and No. 16 Reade street, John H. Timmerman, City Paymaster.

ENGINEERING DIVISION.

Stewart Building, Chambers street and Broadway, Chandler Withington, Chief Engineer, Room 35.

DIVISION OF INSPECTION.

William M. Hage, Auditor of Accounts in Charge, Room 39.

DIVISION OF REAL ESTATE.

Mortimer J. Brown, Appraiser of Real Estate, Rooms 101, 103 and 105.

BUREAU FOR THE COLLECTION OF TAXES.

Borough of Manhattan—Stewart Building, Room 0.

David E. Austin, Receiver of Taxes.

John J. McDonough and William H. Longman, Deputy Receivers of Taxes.

Borough of The Bronx—Municipal Building, Third and Tremont avenues.

John B. Underhill and Stephen A. Noyes, Deputy Receivers of Taxes.

Borough of Brooklyn—Municipal Building, Rooms 2-8.

Thomas J. Drinan and William Gallagher, Deputy Receivers of Taxes.

Borough of Queens—Hackett Building, Jackson Avenue and Fifth street, Long Island City.

George H. Creed and Mason O. Snedeker, Deputy Receivers of Taxes.

Borough of Richmond—Borough Hall, St. George, New Brighton.

John De Morgan and F. Wiley Owen, Deputy Receivers of Taxes.

BUREAU FOR THE COLLECTION OF ASSESSMENTS AND ARREARS.

Borough of Manhattan, Stewart Building, Room 1.

Daniel M. Maynham, Collector of Assessments and Arrears.

Richard E. Welton, Deputy Collector of Assessments and Arrears.

Borough of The Bronx—Municipal Building, Rooms 1-3.

James J. Bonoval, Jr., Deputy Collector of Assessments and Arrears.

Borough of Brooklyn—Mechanics' Bank Building, Cooper Court and Montague streets.

John M. Gray, Deputy Collector of Assessments and Arrears.

Borough of Queens—Hackett Building, Jackson Avenue and Fifth street, Long Island City.

Thomas A. Healy, Deputy Collector of Assessments and Arrears.

Borough of Richmond—St. George, New Brighton.

John J. McCann, Deputy Collector of Assessments and Arrears.

BUREAU FOR THE COLLECTION OF CITY REVENUE AND OF MARKETS.

Stewart Building, Chambers street and Broadway, Room 241.

Peter Allison, Collector of City Revenue and Superintendent of Markets.

David O'Brien, Deputy Collector of City Revenue.

BUREAU FOR THE EXAMINATION OF CLAIMS.

Frank J. Prial, Chief Examiner, Room 181.

BUREAU OF THE CITY CHAMBERLAIN.

Stewart Building, Chambers street and Broadway, Room 63 to 67.

James J. Martin, City Chamberlain.

Henry J. Walsh, Deputy Chamberlain.

Telephone, 4270 Worth.

DEPARTMENT OF HEALTH.

Southwest corner of Fifty-ninth street and Sixth Avenue, Borough of Manhattan, 9 a. m. to 4 p. m.

Initial Permit and Contagious Disease offices always open.

Telephone, 4200 Columbus.

Thomas Dartington, M. D., Commissioner of Health and President.

Alfred H. Doty, M. D.; Theodore A. Bingham, Commissioners.

Walter J. Jensen, M. D., Sanitary Superintendent.

Eugene W. Schaefer, Secretary.

Herman M. Biggs, M. D., General Medical Officer.

James McT. Miller, Chief Clerk.

William H. Gailey, M. D., Registrar of Records.

Borough of Manhattan.

Traverse R. Maxfield, M. D., Assistant Sanitary Superintendent; George A. Roberts, Assistant Chief Clerk.

Charles J. Burke, M. D., Assistant Registrar of Records.

Borough of Brooklyn.

Almon Blawell, M. D., Acting Assistant Sanitary Superintendent; Alfred T. McEntire, Assistant Chief Clerk; S. J. Byrne, M. D., Assistant Registrar of Records.

Borough of Queens.

John H. Barry, M. D., Assistant Sanitary Superintendent; George R. Crosby, Assistant Chief Clerk; Robert Campbell, M. D., Assistant Registrar of Records.

Borough of Richmond.

Almon Blawell, M. D., Acting Assistant Sanitary Superintendent; Alfred T. McEntire, Assistant Chief Clerk; S. J. Byrne, M. D., Assistant Registrar of Records.

Borough of Richmond.

John T. Sprague, M. D., Assistant Sanitary Superintendent; Charles E. Hoyer, Assistant Chief Clerk; L. Walter Wood, M. D., Assistant Registrar of Records.

DEPARTMENT OF PARKS.

Henry Smith, Commissioner of Parks for the Boroughs of Manhattan and Richmond, and President Park Board.

William J. Franklin, Secretary.

Office, Arsenal Central Park.

Telephone, 288 Plaza.

Michael J. Kennedy, Commissioner of Parks for the Boroughs of Brooklyn and Queens.

Office, Litchfield Mansion, Prospect Park, Brooklyn.

Telephone, 235 South.

Joseph J. Barry, Commissioner of Parks for the Borough of The Bronx.

Office, Bronx Park, Bronx.

Telephone, 288 Tremont.

DEPARTMENT OF PUBLIC CHARITIES.

PRINCIPAL OFFICE.

First of East Twenty-sixth street, 9 a. m. to 1 p. m. Saturdays, 12 m.

Telephone, 288 Madison Square.

Richard W. Hebbard, Commissioner.

PLACE AND EAST ONE HUNDRED AND SEVENTY-SECOND STREET; NORTHEAST CORNER OF MINFORD PLACE AND EAST ONE HUNDRED AND SEVENTY-SECOND STREET; NORTHWEST CORNER OF CHARLOTTE STREET AND EAST ONE HUNDRED AND SEVENTIETH STREET; NORTHEAST CORNER OF CHARLOTTE STREET AND SEABURY PLACE AND SOUTHEAST CORNER OF CHARLOTTE STREET AND SEABURY PLACE.

The Engineer's estimate of the work is as follows:

160 linear feet of nine sewer, 12-inch, receiving basin, complete.

175 cubic yards of rock to be excavated and removed.

5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

The time allowed for the completion of the contract will be forty (40) working days.

The amount of security required will be Nine Hundred Dollars (\$900).

No. 7. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN TWO HUNDRED AND THIRTY-SEVENTH STREET, BETWEEN VINE AVENUE AND MARTHA AVENUE.

The Engineer's estimate of the work is as follows:

317 linear feet of nine sewer, 12-inch, 42 apertures for house connections, over and above the cost per linear foot of sewer, 4 manholes, complete.

300 cubic yards of rock to be excavated and removed.

5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

1,000 feet (B. M.) of timber for foundations, furnished and laid, and shoring for nailing and fastening.

10 linear feet of 12-inch drain pipe, for nailing and fastening.

The time allowed for the completion of the contract will be fifty (50) working days.

The amount of security required will be Three Hundred Dollars (\$300).

No. 8. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN VELLER AVENUE, BETWEEN EAST ONE HUNDRED AND SIXTY-SEVENTH STREET AND THE SUMMIT NORTH OF EAST ONE HUNDRED AND SIXTY-EIGHTH STREET.

The Engineer's estimate of the work is as follows:

230 linear feet of nine sewer, 12-inch, 230 linear feet of nine sewer, 12-inch.

130 cubic yards of rock to be excavated and removed.

5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

1,000 feet (B. M.) of timber for foundations, furnished and laid, and shoring for nailing and fastening.

25 linear feet of 12-inch drain pipe, for nailing and fastening.

The time allowed for the completion of the contract will be one hundred and five (105) working days.

The amount of security required will be Four Thousand Five Hundred Dollars (\$4,500).

No. 9. FOR CONSTRUCTING A RECEIVING BASIN AND APPURTENANCES ON THE SOUTH SIDE OF EAST ONE HUNDRED AND NINETEENTH STREET, AT THE INTERSECTION OF MORRIS AVENUE.

The Engineer's estimate of the work is as follows:

12 linear feet of pipe, 12-inch, 1 receiving basin, complete.

2 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

The time allowed for the completion of the contract will be five (5) working days.

The amount of security required will be One Hundred Dollars (\$100).

No. 10. FOR REPAVING WITH ASPHALT AND ASPHALT BLOCKS ON A CONCRETE FOUNDATION THE ROADWAY OF COURT-LAND AVENUE WHERE NOW PAVED WITH BRICK, BETWEEN EAST ONE HUNDRED AND FORTY-SIXTH STREET AND EAST ONE HUNDRED AND SIXTY-FIRST STREET.

The Engineer's estimate of the work is as follows:

2,350 square yards of completed asphalt block pavement, including mortar bed, and keeping the same in repair for five years from date of acceptance.

110 square yards of completed asphalt pavement and keeping the same in repair for five years from date of acceptance.

The time allowed for the completion of the work will be thirty (30) consecutive working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

No. 11. FOR REPAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF BERGEN AVENUE, FROM EAST ONE HUNDRED AND FORTY-SEVENTH STREET TO WESTCHESTER AVENUE, AND SETTING CURB WHERE NECESSARY.

The Engineer's estimate of the work is as follows:

2,340 square yards of completed asphalt pavement, including binder course, and keeping the same in repair for five years from date of acceptance.

137 cubic yards of concrete, furnished and set.

25 linear feet of old curbstone rejoined, re-set on top and reset.

2,300 square yards of old paving blocks, to be purchased and removed by the contractor.

The amount bid for this item will be deducted from the payment on acceptance.

The time allowed for the completion of the contract will be thirty (30) consecutive working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

No. 12. FOR PAVING WITH ASPHALT BLOCKS AND WITH GRANITE BLOCKS ON A CONCRETE FOUNDATION THE ROADWAY OF EAST ONE HUNDRED AND SEVENTY-SIXTH STREET, FROM ARTHUR AVENUE TO THE SOUTHERN BOULEVARD, AND SETTING CURB WHERE NECESSARY.

The Engineer's estimate of the work is as follows:

6,950 square yards of completed asphalt block pavement, and keeping the same in repair for five years from date of acceptance.

1,372 cubic yards of concrete, including mortar bed.

1,000 linear feet of new curbstone, furnished and set in concrete.

3,950 linear feet of old curbstone, rejoined, re-set on top and reset in concrete.

2,300 square yards of new granite block pavement, on a concrete foundation, laid with paving cement joints, and keeping same in repair for one year from date of acceptance.

The time allowed for the completion of the contract will be sixty (60) consecutive working days.

The amount of security required will be Ten Thousand Dollars (\$10,000).

No. 13. FOR PAVING WITH GRANITE BLOCK PAVEMENT ON A SAND FOUNDATION THE ROADWAY OF LONGWOOD AVENUE, FROM THE SOUTHERN BOULEVARD TO TIFFANY STREET, AND TIFFANY STREET, FROM LONGWOOD AVENUE TO THE EAST RIVER, AND SETTING CURB WHERE NECESSARY.

The Engineer's estimate of the work is as follows:

22,350 square yards of new granite block pavement, on a sand foundation, and with sand joints, and keeping the same in repair for one year from date of acceptance.

1,500 linear feet of new curbstone, furnished and set.

6,815 linear feet of old curbstone, rejoined, re-set on top and reset.

The time allowed for the completion of the contract will be seventy-five (75) consecutive working days.

The amount of security required will be Eighteen Thousand Dollars (\$18,000).

No. 14. FOR REGULATING, GRADING, SETTING CURSTONES, FLAGGING THE SIDEWALKS, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES IN EAST ONE HUNDRED AND SEVENTY-FIRST STREET, BETWEEN WEBSTER AVENUE AND CLAY AVENUE.

The Engineer's estimate of the work is as follows:

4,000 cubic yards of earth excavation.

1,200 cubic yards of rock excavation.

2,250 linear feet of new curbstone, furnished and set.

9,000 square feet of new flagging, furnished and laid.

1,375 square feet of new bridge stones for crosswalks, furnished and laid.

100 cubic yards of dry rubble masonry, in retaining walls, culverts and gutters.

100 linear feet of guard rail in place.

The time allowed for the completion of the contract will be sixty (60) working days.

The amount of security required will be Thirty Thousand Dollars (\$30,000).

No. 15. FOR REGULATING, GRADING, BUILDING APPROACHES, ERECTING FENCES, LAYING VITRIFIED PIPE, LUMBER, STEEL IRON, IRON, CONCRETE, REPAIRING BASINS AND MANHOLES IN WESTCHESTER AVENUE, FROM MAIN STREET, WEST FARM ROAD, TO THE EASTERN BOULEVARD AT PELHAM BAY PARK, EXCEPT AT WESTCHESTER CREEK.

THE PORTION BETWEEN BLONDELL AVENUE AND PELHAM ROAD TO BE REGULATED AND GRADED ONLY TO A WIDTH OF SIXTY (60) FEET IN THE CENTRE THEREOF.

The Engineer's estimate of the work is as follows:

21,100 cubic yards of earth excavation.

1,200 cubic yards of rock excavation.

10,000 cubic yards of fill, exclusive of all material sinking below the surface of the marsh as indicated on the plan.

A large sum for all material sinking below the surface of the marsh as indicated on the plan.

100 cubic yards of dry rubble masonry, in retaining walls, culverts and gutters.

50 cubic yards of rubble masonry in manholes.

300 linear feet of vitrified stoneware pipe, 12 inches in diameter.

1,000 feet of vitrified stoneware pipe, 20 inches in diameter.

1,020 linear feet of vitrified stoneware pipe, 24 inches in diameter.

1,000 feet (B. M.) lumber, furnished and laid.

6,000 linear feet of guard rail in place.

8 manholes complete.

14 receiving basins, complete.

The time allowed for the completion of the contract will be one hundred and six (106) working days.

The amount of security required will be Four Thousand Dollars (\$4,000).

No. 16. FOR REGULATING, GRADING, SETTING CURSTONES, FLAGGING THE SIDEWALKS, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES IN WEST STREET, FROM HONEYWELL AVENUE TO CROTONA PARKWAY.

The Engineer's estimate of the work is as follows:

750 cubic yards of excavation of all kinds.

37 cubic yards of fill.

910 linear feet of new curbstone, furnished and set.

60 linear feet of old curbstone, rejoined, re-set and reset.

2,350 square feet of new flagging, furnished and laid.

400 square feet of old flagging, rejoined and reset.

400 square feet of new bridge stone for crosswalks, furnished and laid.

The time allowed for the completion of the work will be thirty (30) working days.

The amount of security required will be One Thousand Dollars (\$1,000).

No. 17. FOR REGULATING, GRADING, SETTING CURSTONES, FLAGGING THE SIDEWALKS, LAYING CROSSWALKS, BUILDING APPROACHES AND PLACING FENCES IN LONGFELLOW AVENUE, FROM LAFAYETTE AVENUE TO THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD.

The Engineer's estimate of the work is as follows:

550 cubic yards of earth excavation.

2,200 cubic yards of fill.

3,480 linear feet of new curbstone, furnished and set.

14,100 square feet of new flagging, furnished and laid.

500 square feet of new bridge stone for crosswalks, furnished and laid.

110 cubic yards of dry rubble masonry, in retaining walls, culverts and gutters.

1,000 feet (B. M.) of lumber, furnished and laid.

3,300 linear feet of guard rail.

The time allowed for the completion of the work will be two hundred (200) working days.

The amount of security required will be Five Thousand Dollars (\$5,000).

No. 18. FOR REGULATING AND PLACING THE SIDEWALKS AND LAYING CROSSWALKS IN NELSON AVENUE, FROM FEATHERBED LANE TO MACOMBS ROAD AND ONE HUNDRED AND SEVENTY-FIFTH STREET; FROM NELSON AVENUE

TO MACOMBS ROAD AND BRANDT PLACE, AND FROM AQUEDUCT AVENUE TO NELSON AVENUE.

The Engineer's estimate of the work is as follows:

15,000 square feet of new flagging, furnished and laid.

200 square feet of old flagging, rejoined and reset.

900 square feet of new bridge stones for crosswalks, furnished and laid.

The time allowed for the completion of the work will be forty (40) working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

The amount of security required will be Nine Hundred Dollars (\$900).

No. 7. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN TWO HUNDRED AND THIRTY-SEVENTH STREET, BETWEEN VINE AVENUE AND MARTHA AVENUE.

The Engineer's estimate of the work is as follows:

317 linear feet of nine sewer, 12-inch.

42 apertures for house connections, over and above the cost per linear foot of sewer,

4 manholes, complete.

300 cubic yards of rock to be excavated and removed.

5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

The time allowed for the completion of the contract will be forty (40) working days.

The amount of security required will be Nine Hundred Dollars (\$900).

No. 8. FOR CONSTRUCTING A SEWER AND APPURTENANCES IN VELLER AVENUE, BETWEEN EAST ONE HUNDRED AND SIXTY-SEVENTH STREET AND THE SUMMIT NORTH OF EAST ONE HUNDRED AND SIXTY-EIGHTH STREET.

The Engineer's estimate of the work is as follows:

230 linear feet of nine sewer, 12-inch,

230 linear feet of nine sewer, 12-inch.

130 cubic yards of rock to be excavated and removed.

5 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

1,000 feet (B. M.) of timber for foundations, furnished and laid, and shoring for nailing and fastening.

10 linear feet of 12-inch drain pipe, for nailing and fastening.

8 inches in diameter.

1,700 square feet of cement flue.

100 linear feet of new iron railing, in place,

2 iron gates, with gates covers, for nailing and fastening.

300 square yards of cobble.

100 cubic yards of gravel.

The time allowed for the completion of the work will be forty (40) working days.

The amount of security required will be Thirty Thousand Dollars (\$30,000).

No. 9. FOR CONSTRUCTING A RECEIVING BASIN AND APPURTENANCES ON THE SOUTH SIDE OF EAST ONE HUNDRED AND NINETEENTH STREET, AT THE INTERSECTION OF MORRIS AVENUE.

The Engineer's estimate of the work is as follows:

12 linear feet of pipe, 12-inch,

1 receiving basin, complete.

2 cubic yards of Class "B" concrete, in place, additional to that shown on the plan.

The time allowed for the completion of the contract will be five (5) working days.

The amount of security required will

between Utica and Schenectady avenues; north side of Birch street, between Troy and Schenectady avenues; east side of Chestnut street and west side of Euclid avenue, between Atlantic avenue and Fulton streets; north side of First street, between Eighth avenue and Prospect Park West.

The limits within which it is proposed to lay the said assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

No. 1. Both sides of East Twenty-ninth street, between Clarendon road and Avenue D, and to the extent of half the block at the intersecting streets and avenues.

No. 2. Both sides of Bay Eleventh street, from Crooked avenue to Eighty-sixth street, and to the extent of half the block at the intersecting streets and avenues.

No. 3. Both sides of Fifty-third street, between Seventh and Eighth avenues; both sides of Sixth street, from Seventh to Eighth avenue; south side of Sixtieth street, from Eighth to Ninth avenue; north side of Knickerbocker avenue, between Palmetto street and Fulton avenue; east side of Palmetto street, from Knickerbocker avenue to Irving avenue; both sides of Liberty avenue, from Van Sinderen avenue to Snediker avenue; southeast side of Stockholm street, between Wyckoff and Irving avenues.

No. 4. On the northwest corner of Prospect place and Franklin avenue; south side of Seventeenth street, between Prospect Park West and Tenth avenue; north side of Prospect place, between Vandebilt and Underhill avenues; east side of Miller avenue, from Jamaica avenue to Sunnyside avenue; east side of Knickerbocker avenue, from Cornelius street to Palmetto avenue; southwest corner of Hopkins avenue and McDonald street; northwest corner of Pilkin avenue and Van Sinderen avenue; east side of Pennsylvania avenue, between Pilkin and Glenmore avenues; southwest corner of Liberty avenue and Odhara street.

No. 5. On the north side of Sumpter street, between Fulton street and Patchen avenue; east side of Spencer avenue, between Park and Myrtle avenues; west side of Eighth avenue, between Prospect avenue and Windsor place; east side of Emerson place, between Willoughby and DeKalb avenues; south side of Seventh street, between Fifth and Sixth avenues; north side of Seventh street, between Fourth and Fifth avenues; north side of Twelfth street, between Sixth and Seventh avenues; south side of Atlantic avenue, between Gantlet place and Rockaway avenue; north side of Dean street and south side of Pacific street, between Utica and Rochester avenues; southeast side of Linden street, between Hamburg and Knickerbocker avenues; north side of Somers street, between Stein avenue and Eastern parkway.

No. 6. On north side of Thirty-fourth street, between Fourth and Fifth avenues; east side of Fourth avenue, between Thirty-third and Thirty-second streets; south side of Forty-ninth street, between Second and Third avenues; west side of Sixth avenue, between Fifty-sixth and Fifty-seventh streets; south side of Atlantic avenue, between Utica and Schenectady avenues; north side of Bergen street, between Troy and Schenectady avenues; east side of Chestnut street and west side of Euclid avenue, between Atlantic avenue and Fulton streets; north side of First street, between Eighth avenue and Prospect Park West.

All persons whose interests are affected by the above-named proposed assessments, and who are opposed to the same, or either of them, are requested to present their objections, in writing, to the Secretary of the Board of Assessors, No. 320 Broadway, New York, on or before June 22, 1909, at 11 a. m., at which time and place the said objections will be heard and testimony received in reference thereto.

ANTONIO ZUCCA,
PAUL WEINMANN,
JAMES H. KENNEDY,
Board of Assessors.

WILLIAM H. JASPER, Secretary, No. 320 Broadway,
City of New York, Borough of Manhattan,
May 25, 1909.

m21,52

DEPARTMENT OF PUBLIC CHARITIES.

DEPARTMENT OF PUBLIC CHARITIES, Foot of EAST TWENTY-SIXTH STREET, NEW YORK,
BOROUGHS OF BROOKLYN AND QUEENS.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received at the office of the Department of Public Charities, foot of East Twenty-sixth street, Borough of Manhattan, in the City of New York, until 2:30 o'clock p. m. on

TUESDAY, JUNE 16, 1909.

No. 1. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR PLUMBING IN FEMALE BRANCH OF THE NEW YORK CITY HOME FOR THE AGED AND INFIRM, BROOKLYN DIVISION.

The time allowed for the completion of the work and full performance of the contract is one hundred (100) consecutive calendar days.

The surety required will be Three Thousand Dollars (\$3,000).

No. 2. FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR PLUMBING IN MALE BRANCH OF THE NEW YORK CITY HOME FOR THE AGED AND INFIRM, BROOKLYN DIVISION.

The time allowed for the completion of the work and full performance of the contract is one hundred (100) consecutive calendar days.

The surety required will be Four Thousand Dollars (\$4,000).

The bidder will state one aggregate price for each contract described and specified, as each contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of the Architect of the Department, foot of East Twenty-sixth street, Borough of Manhattan, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBERD, Commissioner.

Dated May 26, 1909.

m28,10

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF PUBLIC CHARITIES, Foot of EAST TWENTY-SIXTH STREET, NEW YORK.

TO CONTRACTORS.

PROPOSALS FOR BIDS OR ESTIMATES.

SEALED BIDS OR ESTIMATES WILL BE received by the Department of Public Charities at the above office until 2:30 o'clock p. m. on

TUESDAY, JUNE 8, 1909.

FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY OR REQUIRED FOR THE EXCAVATION, MASONRY, STEEL AND IRON WORK, ROOFING AND METAL WORK, CARPENTRY, ELECTRIC WORK, HEATING AND VENTILATING WORK,

PLUMBING WORK AND ALL OTHER WORK (EXCEPT CERTAIN KITCHEN, STERILIZING AND LIGHTING FIXTURES AND REFRIGERATORS) AS SET FORTH IN THE DRAWINGS AND SPECIFICATIONS FOR THE CONSTRUCTION AND ENTIRE COMPLETION OF A MORGUE FOR THE METROPOLITAN HOSPITAL DISTRICT, BLACKWELLS ISLAND, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for doing and completing the entire work and the full performance of the contract is two hundred (200) consecutive calendar days.

The surety required will be Fourteen Thousand Dollars (\$14,000).

The bidder will state one aggregate price for the whole work described and specified, as the contract is entire and for a complete job.

Blank forms and further information may be obtained at the office of Raymond F. Almire, Architect, No. 31 Chambers street, The City of New York, where plans and specifications may be seen.

ROBERT W. HEBERD, Commissioner.

Dated May 27, 1909.

m27,18

See General Instructions to Bidders on the last page, last column, of the "City Record."

FIRE DEPARTMENT.

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NO. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, NEW YORK, JUNE 1, 1909.

SAMUEL VORZMER, AUCTIONEER, ON BEHALF OF THE FIRE DEPARTMENT, CITY OF NEW YORK, BOROUGH OF MANHATTAN, THE BRONX AND RICHMOND, WILL OFFER FOR SALE, AT PUBLIC AUCTION, TO THE HIGHEST BIDDER, FOR CASH, AT THE HOSPITAL AND TRAINING STABLES, NO. 123 AND 125 WEST NINETEENTH STREET, BOROUGH OF MANHATTAN, ON

TUESDAY, JUNE 8, 1909,

AT 12 O'CLOCK NOON, THE FOLLOWING EIGHT HORSES, NO LONGER FIT FOR SERVICE OF THE DEPARTMENT, AND KNOWN AS Nos. 109, 112, 121, 124, 144, 162, 163 AND 202.

NICHOLAS J. HAYES, Commissioner.

m29,10

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NO. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE FIRE COMMISSIONER AT THE ABOVE OFFICE UNTIL 10:30 O'CLOCK A. M. ON

TUESDAY, JUNE 16, 1909,
Borough of Manhattan.

No. 1. FOR FURNISHING AND DELIVERING SUPPLIES FOR THE FIRE ALARM TELEGRAPH, BOROUGH OF MANHATTAN, THE BRONX AND RICHMOND.

The time for the delivery of the articles, materials and supplies and the performance of the contract is to be on or before February 1, 1910.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated May 28, 1909.

m29,10

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NO. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE FIRE COMMISSIONER AT THE ABOVE OFFICE UNTIL 10:30 O'CLOCK A. M. ON

TUESDAY, JUNE 8, 1909,

Boroughs of Manhattan, The Bronx and Richmond.

No. 1. FOR FURNISHING AND DELIVERING GENERAL SUPPLIES FOR THE BOILER-ROOMS OF MANHATTAN, THE BRONX AND RICHMOND.

The time for the delivery of the articles, materials and supplies and the performance of the contract is to be on or before January 31, 1910.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the Fire Department, Nos. 157 and 159 East Sixty-seventh street, Manhattan.

NICHOLAS J. HAYES, Commissioner.

Dated May 28, 1909.

m27,18

See General Instructions to Bidders on the last page, last column, of the "City Record."

HEADQUARTERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW YORK, NO. 157 AND 159 EAST SIXTY-SEVENTH STREET, BOROUGH OF MANHATTAN, NEW YORK, APRIL 14, 1909.

RETAIL FIREWORKS PERMITS.

IT IS HEREBY DIRECTED THAT THE under made by me as Fire Commissioner on February 2, 1909, that no permits be issued for the sale of fireworks at retail during the period intervening the 10th day of June and the 10th day of July, 1909, be modified so as to provide for the issuance of such permits during the period intervening the 25th day of June and the 6th day of July, 1909.

NICHOLAS J. HAYES, Commissioner.

m26,18

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF CORRECTION.

DEPARTMENT OF CORRECTION, NO. 148 EAST TWENTIETH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE COMMISSIONER OF CORRECTION AT THE ABOVE OFFICE UNTIL 11 O'CLOCK A. M. ON

TUESDAY, JUNE 10, 1909,

NO. 1. FOR FURNISHING AND DELIVERING HARDWARE, PAINTS, IRON, STEAM FITTINGS, LUMBER AND MISCELLANEOUS ARTICLES.

The time for the delivery of the articles, materials and supplies and the performance of the contract is to be on or before ten days.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

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The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton, dozen, gallon, yard or other unit of measure, by which the bids will be tested. The extensions must be made and tested up, as the bids will be read from the total for each class and awards made to the lowest bidder on each class; or the bids will be compared and the contract awarded at a lump or aggregate sum.

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per pound, ton,

The time for the completion of the contract is thirty (30) days.

The amount of security required is Two Thousand Dollars (\$2,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Littlefield Mansion, Prospect Park, Brooklyn.

HENRY SMITH, President;
JOSEPH L. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

m22.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, JUNE 3, 1909.

Borough of The Bronx.

FOR FURNISHING AND DELIVERING THREE HUNDRED (300) TWELVE-INCH (12") AND TWENTY-FIVE (25) TWENTY-INCH (20") EXPANDED METAL TREE GUARDS (No. 1, 1909) FOR PARKS, BOROUGH OF THE BRONX.

The time for the completion of the contract is thirty (30) calendar days.

The amount of security required is Three Thousand Dollars (\$3,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms may be obtained at the office of the Department of Parks, Zborowski Mansion, Claremont Park, The Bronx.

HENRY SMITH, President;
JOSEPH L. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

m22.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, JUNE 3, 1909.

Borough of Manhattan.

FOR ALL LABOR AND MATERIAL REQUIRED FOR THE ERECTION AND COMPLETION OF A SHELTER AND COMFORT STATION LOCATED ON THE WEST SIDE OF RIVERSIDE DRIVE, OPPOSITE GRANGE TOMB, BOROUGH OF MANHATTAN, NEW YORK CITY.

The time allowed to complete the work will be ninety (90) consecutive working days for the work required under Section I, and thirty-five (35) consecutive working days for Section II.

The amount of security required is Twenty Thousand Dollars (\$20,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;
JOSEPH L. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

m22.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE DEPARTMENT OF PARKS, ARSENAL BUILDING, FIFTH AVENUE AND SIXTY-FOURTH STREET, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Park Board at the above office of the Department of Parks until 3 o'clock p. m. on

THURSDAY, JUNE 3, 1909.

Borough of Manhattan.

FOR CONSTRUCTING CHELSEA PARK IN THE BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

The time allowed for the completion of the whole work will be one hundred and fifty consecutive working days.

The amount of the security required is Twenty-Five Thousand Dollars (\$25,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Plans may be seen and blank forms may be obtained at the office of the Department of Parks, Borough of Manhattan, Arsenal, Central Park.

HENRY SMITH, President;
JOSEPH L. BERRY,
MICHAEL J. KENNEDY,
Commissioners of Parks.

m22.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF BRIDGES.

Department of Bridges, Nos. 12 to 21 Park Row, Borough of Manhattan, City of New York.

SEALED BIDS OR ESTIMATES WILL BE received by the Commissioner of Bridges at the above office until 3 o'clock p. m. on

THURSDAY, JUNE 3, 1909.

FOR CONSTRUCTING THE RAILINGS, STAIRWAYS, ETC., ROADWAY AND FOOTWALK PAVEMENTS, TRACK AND ELECTRICAL EQUIPMENTS OF THE MANHATTAN BRIDGE OVER THE EAST RIVER, BETWEEN THE BORBOURGS OF MANHATTAN AND BROOKLYN.

The contractor will be required to begin work within ten days of the date of certification of the contract by the Comptroller, and will be required to complete the entire work to the satisfaction of the Commissioner and in accordance with the plans and specifications by December 1, 1909.

The amount of security to guarantee the faithful performance of the work will be Two Hundred and Fifty Thousand Dollars (\$250,000).

The right is reserved by the Commissioner to reject all the bids should be done to the interest of the City as to do.

Blank forms and specifications may be obtained at the office of the Department of Bridges.

J. W. STEVENSON, Commissioner.

m22.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

Department of Bridges, Nos. 12 to 21 Park Row, Borough of Manhattan, City of New York.

THE COMMISSIONER OF BRIDGES WILL SELL AT PUBLIC AUCTION, TO THE HIGHEST BIDDER, AS

MONDAY, JUNE 7, 1909.

AT 10:30 o'clock a. m., at the Department's Yard, under the Williamsburg Bridge, located between South Fifth and South Sixth Streets and Kent Avenue, Borough of Brooklyn, a quantity of old materials, as follows:

Item 1. Seventy-five (75) tons, more or less, old scrap iron and steel and castings, at a lump sum bid for the lot.

Item 2. A quantity of old lumber, at a lump sum bid for the lot.

TERMS OF SALE.

The whole of the purchase price bid and the auctioneer's fees shall be paid by the successful bidder, in cash, or bankable funds, on or before the delivery of the material, and the purchaser must remove from the yard within twenty days from the date of the sale all of the materials purchased.

To secure the removal, as above specified, the auctioneer shall be required to make at the time of sale a cash deposit of 25 per cent, of the price bid on Items 1 and 2.

The Commissioner of Bridges reserves the right to resell any of the material not removed by the purchaser within the twenty days specified. Full information may be obtained upon application to the Engineer's office, Williamsburg Bridge, No. 88 Broadway, Borough of Brooklyn.

J. W. STEVENSON, Commissioner.

m22.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

BOROUGH OF MANHATTAN.

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

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Manhattan, at the City Hall, Room 16, until 3 o'clock p. m. on

TUESDAY, JUNE 1, 1909.

Borough of Manhattan.

FOR REPAIRS AND ALTERATIONS TO BATHS AND PONTOONS FOR THE FREE FLOATING BATHS; REPAIRING AND PAINTING THE ROOFS AND PAINTING FIFTEEN (15) FREE FLOATING BATHS.

The time allowed for the completion of the work and full performance of the contract will be thirty-five (35) days.

The amount of security required will be Five Thousand Dollars (\$5,000).

Bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and specifications may be had at the office of the Commissioner of Public Works, Nos. 12 to 21 Park Row, Bureau of Public Buildings and Offices, Room 1703, Borough of Manhattan.

JOHN P. AHEARN, President;

The City of New York, May 19, 1909.

m13.11

See General Instructions to Bidders on the last page, last column, of the "City Record."

1 distributing panel housed in transformer station.

2 connecting switches mounted in cast iron boxes.

The time for the completion of the work and full performance of the contract is five hundred (500) working days.

The amount of security required is Two Hundred and Fifty Thousand Dollars (\$250,000).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per foot, yard or other unit of measure or article, by which the bids will be tested.

Blank forms, together with copies of the contract, including plans and specifications, and any further information, may be obtained at the office of F. Stuart Williamson, consulting engineer, No. 84 William Street, Room 600.

JOHN P. AHEARN, President.

The City of New York, May 12, 1909.

m13.11

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF EDUCATION.

DEPARTMENT OF EDUCATION, CORNER OF PARK AVENUE AND FIFTY-NINTH STREET, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the Superintendent of School Supplies at the above office of the Department of Education until 3 p. m. on

TUESDAY, JUNE 8, 1909.

FOR FURNISHING ALL REQUIRED MATERIAL REPAIRING, TRANSFERRING AND ERICCTING GYMNASIIC APPARATUS, KINDERGARTEN TENTS, AWNINGS, FRAMES, SAND BINS, LARGE AND SMALL SWING FRAMES AND ALL OTHER MATERIAL INCLUDED IN THE EQUIPMENT OF OPEN-PLAYGROUNDS, BOROUGH OF MANHATTAN.

The time for furnishing and delivering the materials and the completion of the work, as provided in the contract, will be on or before July 10, 1909.

FOR TAKING DOWN, REMOVING, TRANSFERRING AND STORING ALL GYMNASIIC APPARATUS, KINDERGARTEN TENTS, AWNINGS, FRAMES, SAND BINS, LARGE AND SMALL SWING FRAMES AND ALL OTHER MATERIAL INCLUDED IN EQUIPMENT OF OPEN-PLAYGROUNDS IN THE BOROUGH OF MANHATTAN.

The time for the completion of the work and the full performance of the contract is by or before September 11, 1909.

The amount of security required is fifty per cent. (50%) of the amount of the bid or estimate.

The bidder will state the price of each item or article contained in the specifications and schedules herein contained or hereto annexed, by which the bids will be tested.

Award will be made to the lowest aggregate bidder on Items Nos. 1 and 2, as provided in the contract.

Blank forms and further information may be obtained at the office of the Superintendent of School Supplies, Board of Education, the Borough of Manhattan, southwest corner of Park Avenue and Fifty-ninth street.

PATRICK JONES, Superintendent of School Supplies.

Dated May 27, 1909.

m27.18

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, JUNE 7, 1909.

Borough of Brooklyn.

No. 1. FOR ALTERATIONS, REPAIRS, ETC., AT PUBLIC SCHOOLS 65, 72, 76, 83, 108, 109, 115, 144, AND TRUANT SCHOOL, BOROUGH OF BROOKLYN.

The time allowed to complete the whole work on each school will be 55 working days, as provided in the contract.

The amount of security required is as follows:

Public School 65.....	\$800.00
Public School 72.....	1,500.00
Public School 76.....	1,500.00
Public School 83.....	1,500.00
Public School 108.....	1,500.00
Public School 109.....	1,500.00
Public School 125.....	800.00
Public School 144.....	500.00
Truant School.....	400.00

A separate proposal must be submitted for each school and award will be made thereon.

On No. 1 the bidders must state the price of each item, by which the bids will be tested.

Blank forms, plans and specifications may be obtained or seen at the office of the Superintendent of Estimating Room, ninth floor, Hall of the Board of Education, Park Avenue and Fifty-ninth street, Borough of Manhattan, and also at Branch Office, No. 131 Livingston street, Borough of Brooklyn.

C. R. J. SNYDER, Superintendent of School Buildings.

Dated May 25, 1909.

m25.37

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, JUNE 7, 1909.

Borough of The Bronx.

No. 2. FOR ALTERATIONS, REPAIRS, ETC., AT PUBLIC SCHOOLS 5, 6, 7, 8, 11, 12, 13, 21, 26, 32, 33, 34, 41, BOROUGH OF THE BRONX.

The time allowed to complete the whole work on each school will be 55 working days, as provided in the contract.

The amount of security required is as follows:

Public School 5.....	\$900.00
Public School 6.....	400.00
Public School 7.....	700.00
Public School 8.....	300.00
Public School 11.....	500.00
Public School 12.....	300.00
Public School 13.....	400.00
Public School 21.....	500.00
Public School 26.....	300.00
Public School 32.....	500.00

1 distributing panel housed in transformer station.

2 connecting switches mounted in cast iron boxes.

and time the bids will be publicly opened and read. The award of the contract, if awarded, will be made by the Board as soon thereafter as practicable. The Board reserves the right to reject any and all bids.

Two or more bids, the aggregate amount of which shall be Four Hundred and Forty Thousand Dollars (\$440,000), will be required for the faithful performance of the contract.

No bid will be received and deposited unless accompanied by a certified check upon a National or State bank, drawn to the order of the Comptroller of The City of New York, in the amount of fifty thousand dollars (\$50,000).

Time allowed for the completion of the work is forty-two (42) months from the service of notice by the Board to begin work.

Pamphlets containing information for bidders, forms of proposal and contract, specifications, etc., and pamphlets of contract drawings, can be obtained at Room 1313, at the above address, upon application in person or by mail, by depositing the sum of ten dollars (\$10) in currency, or check drawn to the order of the Board of Water Supply, for each pamphlet, or twenty dollars (\$20) for each set. Each deposit will be refunded upon the return of the pamphlets in acceptable condition within thirty days from the date on which bids are to be opened.

JOHN A. BENSEL, President.

CHARLES N. CHADWICK.

CHARLES A. SHAW.
Commissioners of the Board of Water Supply.

J. WALSH SMITH, Chief Engineer.

THOMAS HANLEY, Secretary.

NOTE.—See general instructions to bidders, on last page, last column, of the City Record, so far as applicable hereto and not otherwise provided for.

m25.1

BOARD MEETINGS.

The Board of Estimate and Appropriations meets in the Old Council Chamber (Room 16), City Hall, every Friday, at 10 a.m. JOSEPH HAGG, Secretary.

The Commissioners of the Sinking Fund meet in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.

N. TAYLOR PHILLIPS,
Deputy Comptroller, Secretary.

The Board of Revision of Assessments meets in the Old Council Chamber (Room 16), City Hall, every Thursday at 11 a.m., upon notice of the Chief Clerk.

HENRY J. STORES,
Chief Clerk.

The Board of City Record meets in the Old Council Chamber (Room 16), City Hall, at call of the Mayor.

PATRICK J. TRACY,
Supervisor, Secretary.

DEPARTMENT OF FINANCE.

INTEREST ON BONDS AND STOCK OF THE CITY OF NEW YORK.

THE INTEREST DUE ON JULY 1, 1909.
On Registered Bonds and Stock of The City of New York will be paid on that day by the Comptroller, at his office, Room 25, Stewart Building, corner of Broadway and Chambers street.

The transfer books thereon will be closed from June 15, 1909, to July 1, 1909.

The interest due on July 1, 1909, on the Coupon Bonds of the City of Brooklyn will be paid on that day by the Savings National Bank of Brooklyn, No. 24 Union street.

The interest due July 1, 1909, on the County Bonds of Corporations in Queens and Richmond Counties will be received on that day for payment by the Comptroller at his office, Room 25, Stewart Building, corner of Broadway and Chambers street.

H. A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, May 27, 1909.

m25.191

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE PRESIDENT of the Borough of Richmond, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale at public auction all the buildings, parts of buildings, etc., now standing upon property owned by The City of New York, acquired by it for street opening purposes in the

Borough of Richmond

said buildings being situated upon land more particularly described as follows:

Being all those buildings, parts of buildings, etc., remaining unsold at the conclusion of the sales held Monday, February 8, 1909; Tuesday, April 20, 1909, and Monday, May 17, 1909, lying within the lines of Stuyvesant place, between the southerly line of the United States lighthouse property and Weiler place and an unnamed street (extension of Stuyvesant place), between Weiler place and Arrietta street, in the Borough of Richmond, and which are more particularly described on a certain map on file in the office of the Collector of City Revenue, Department of Finance, Room 141, No. 250 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund, adopted at a meeting held by them January 19, 1909, the sale of the above described buildings and appurtenances thereto will be held on

WEDNESDAY, JUNE 2, 1909,

at 11 a.m., on the premises, upon the usual terms and conditions as contained in other advertisements of the sale of said material in the City Record.

H. A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, May 27, 1909.

m25.192

CORPORATION SALE OF BUILDINGS AND APPURTENANCES THERETO ON CITY REAL ESTATE.

AT THE REQUEST OF THE BOARD OF Education, public notice is hereby given that the Commissioners of the Sinking Fund, by virtue of the powers vested in them by law, will offer for sale at public auction all the buildings, parts of buildings, etc., now standing upon property owned by The City of New York, acquired by it for school purposes in the

Borough of Richmond

Being all the buildings, parts of buildings, etc., now standing on the land located at the north-west corner of Amber and Richmond Valley roads, Richmond Valley, Borough of Richmond, formerly occupied as Public School No. 32, and which is more particularly described in a report on file in the office of the Collector of City

Revenue, Department of Finance, Room 141, No. 250 Broadway, Borough of Manhattan.

Pursuant to a resolution of the Commissioners of the Sinking Fund, adopted at a meeting held April 26, 1909, the sale of the above described buildings and appurtenances thereto will be held by direction of the Comptroller on

FRIDAY, JUNE 11, 1909.

at 12 a.m., on the premises, upon the following TERMS AND CONDITIONS.

The buildings and appurtenances thereto will be sold to the highest bidder, who must pay immediately cash or a certified check drawn to the order of the Comptroller of The City of New York, and must also at the time of sale give a certified check or cash in half the amount of the purchase price as security for the faithful performance of the terms and conditions of the sale. Where the amount of the purchase price does not equal or exceed the sum of fifty dollars, the sum of fifty dollars shall be the amount of the security to be deposited. This security may at any time after the expiration of the contract period be applied by the City to the cost of completing any of the work required under the contract, but unfinished at the expiration of the contract period.

All the materials of the buildings, sheds, walls, structures and cellars of whatever nature, with their exterior and interior fixtures, appurtenances and foundations of all kinds, except the sidewalk and curb in front of said buildings extending within the described area, and down to the level of the cellar bottom, shall be torn down and removed from the premises. None of the dirt, debris or waste resulting from demolition shall be allowed to remain on the premises, except old mortar or plaster only, which may be left, but not higher at any point than two feet below the curb opposite that point; also the foundation walls of all classes shall be taken down only to a plane whose elevation shall be the level of the curb in front of the building.

Failing to remove said buildings, appurtenances or any portion thereof within sixty days from the day of the sale will forfeit ownership of ownership of such buildings, appurtenances or portion as shall then be left standing, together with all money paid by said purchaser on account thereof at the time of the sale, and the bidder's assent to the above conditions being understood to be implied by the act of bidding, and The City of New York will, without notice to the purchaser, come into the same to remove and the costs and expense thereof charged against the security above mentioned.

The work of removal must be carried on in every respect in a thorough and workmanlike manner and must be completed within sixty days from the day of sale, and the successful bidder will remove and furnish all materials of labor and machinery necessary thereto, and will place proper and sufficient guards and fences and warning signs by day and night for the prevention of accidents, and will indemnify and save harmless The City of New York, its officers, agents and servants, and each of them, against any and all suits and actions, claims and demands of every name and description brought against them or any of them, and against and from all damage and costs in which it, they or any of them be put by reason of injury to the person or property of another, resulting from negligence or carelessness in appliances used in the removal of said buildings.

The Comptroller of The City of New York reserves the right on the day of sale to withdraw from sale any of the buildings, parts of buildings and machinery included therein, or to reject any and all bids, and it is further

Resolved, That, while the said sale is held under the supervision of the Commissioners of the Sinking Fund, the Comptroller is authorized to cause the sale to be advertised and to direct the sale thereof as financial officer of the City.

H. A. METZ, Comptroller.

City of New York, Department of Finance,
Comptroller's Office, May 27, 1909.

m25.193

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessment for LOCAL IMPROVEMENTS in the BOROUGH OF BROOKLYN:

TWENTYNINTH WARD, SECTION 10.

EAST TWENTYNINTH STREET—REGULATING, GRADING, CURBING, AND LAVING CEMENT SIDEWALKS, between Farragut and Glenwood roads. Area of assessment: Both sides of East Twentyninth street, from Farragut road to Glenwood road, and to the extent of half the block at the intersecting streets.

—that the same was confirmed by the Board of Assessors on May 22, 1909, and entered May 25, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of said entry of the assessment, interest will be collected thereon, as provided by section 1019 of the Greater New York Charter.

Said section provides, in part, "If any such assessment shall remain unpaid for the period of sixty days after the date of entry thereof in the said Record of Titles of Assessments, it shall be the duty of the officer authorized to collect and receive the amount of such assessment to charge and receive interest thereon at the rate of seven per centum per annum, to be calculated on the date of payment, from the date when such assessment became a lien, as provided by section 1019 of this act."

Section 1019 of this act provides, "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessment is payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and of Water Rents, in the Mechanics Bank Building, Court and Montague streets, Borough of Brooklyn, between the hours of 9 a.m. and 1 p.m., and on Saturdays from 9 a.m. to 12 m., and all payments made thereon on or before July 24, 1909, will be exempt from interest as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum from the date when such assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, May 27, 1909.

m25.194

NOTICE TO PROPERTY OWNERS.

IN PURSUANCE OF SECTION 1018 OF THE Greater New York Charter, the Comptroller of The City of New York hereby gives public notice to all persons, owners of property, affected by the following assessments for LOCAL IMPROVEMENTS in the BOROUGH OF QUEENS:

FIRST WARD.

HALLETT STREET—REGULATING, GRADING, CURBING, BRIDGING AND LAYING SIDEWALKS, from Flushing to Hoyt avenue, from Flushing to Hart avenue, and to the extent of half the block at the intersecting avenues.

SECOND AVENUE (DEBEVOISE AVENUE)—SEWER, from Newtown avenue to Flushing avenue. Area of assessment: Both sides of Second avenue, from Newtown avenue to Flushing avenue, also Lots Nos. 27 to 25 in Block 118.

ELEVENTH AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAVING CROSSWALKS, from Broadway to Graham avenue. Area of assessment: Both sides of Eleventh avenue, from Grand avenue to Wilson avenue, and to the extent of half the block at the intersecting avenues.

THIRTEENTH AVENUE—REGULATING, GRADING, CURBING, FLAGGING AND LAVING CROSSWALKS, from Broadway to Graham avenue. Area of assessment: Both sides of Thirteenth avenue, from Broadway to Graham avenue, and to the extent of half the block at the intersecting street and avenue.

SECOND WARD.

GROVE STREET—REGULATING, GRADING, CURBING, FLAGGING AND PAVING, from Kings County line to a point 200 feet north of Onderdonk avenue. Area of assessment: Both sides of Grove street, from the Borough line to 200 feet north of Onderdonk avenue, and to the extent of half the block at the intersecting and terminating streets and avenues.

HUMROD STREET—REGULATING, GRADING, CURBING AND PAVING, from Grandview avenue to Kings County line. Area of assessment: Both sides of Humrod street, from Grandview avenue to Kings County line, and to the extent of half the block at the intersecting avenues.

—that the same were confirmed by the Board of Assessors May 25, 1909, and entered May 25, 1909, in the Record of Titles of Assessments, kept in the Bureau for the Collection of Assessments and of Water Rents, and unless the amount assessed for benefit on any person or property shall be paid within sixty days after the date of entry of such assessment, interest will be collected thereon at the rate of seven per centum per annum, to be calculated on the date when such assessment became a lien to the date of payment.

Section 1019 of this act provides, "An assessment shall become a lien upon the real estate affected thereby ten days after its entry in the said record."

The above assessments are payable to the Collector of Assessments and Arrears at the Bureau for the Collection of Assessments and of Water Rents and of the State of New York, at the Hart Building, No. 51 Jackson avenue, Long Island City, Borough of Queens, between the hours of 9 a.m. and 1 p.m., and on Saturdays from 9 a.m. until 12 m., and all payments made thereon on or before July 24, 1909, will be exempt from interest, as above provided, and after that date will be subject to a charge of interest at the rate of seven per centum per annum, from the date when such assessment became a lien to the date of payment.

HERMAN A. METZ, Comptroller,
City of New York, Department of Finance,
Comptroller's Office, May 27, 1909.

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PROPOSALS FOR \$40,000,000 OF FOUR PER CENT. STOCK AND BONDS OF THE CITY OF NEW YORK.

PRINCIPAL AND INTEREST PAYABLE IN GOLD.

EXEMPT FROM TAXATION.

EXECUTORS, ADMINISTRATORS, GUARDIANS AND OTHERS HOLDING TRUST FUNDS ARE AUTHORIZED BY SECTION 3 OF ARTICLE 1 OF CHAPTER 417 OF THE LAWS OF 1907, AS AMENDED, TO INVEST IN SAID STOCK AND BONDS.

SEALED PROPOSALS WILL BE RECEIVED BY THE COMPTROLLER OF THE CITY OF NEW YORK, AT HIS OFFICE, NO. 250 BROADWAY, BOROUGH OF MANHATTAN, IN THE CITY OF NEW YORK, UNTIL

TUESDAY, JUNE 8, 1909.

at 2 o'clock p.m., when they will be publicly opened in the presence of the Commissioners of the Sinking Fund, or such of them as shall attend, as provided by law, for the whole or a part of the following described interchangeable Registered or Coupon Stock and Bonds of The City of New York, bearing interest at the rate of four per cent per annum, from and including June 8th, 1909, to 1919.

\$24,000,000 of Corporate Stock of The City of New York (for Various Municipal Purposes). Principal payable May 1st, 1919. Interest payable semi-annually on May 1st and November 1st.

This stock was duly authorized by the Greater New York Charter, as amended, and other acts of the Legislature of the State of New York, and by the Municipal authorities of The City of New York, and is free and exempt from all taxation.

10,000,000 of Corporate Stock of The City of New York, To Provide for the Supply of Water. Principal payable May 1st, 1919. Interest payable semi-annually on May 1st and November 1st.

This stock was duly authorized by the Greater New York Charter, as amended, and other acts of the Legislature of the State of New York, and by the Municipal authorities of The City of New York, and is free and exempt from all taxation.

3,200,000 of Corporate Stock of The City of New York for the Construction of the Rapid Transit Railroad. Principal payable May 1st, 1919. Interest payable semi-annually on May 1st and November 1st.

This stock was duly authorized by the Greater New York Charter, as amended, and other acts of the Legislature of the State of New York, and by the Municipal authorities of The City of New York, and is free and exempt from all taxation.

800,000 of Corporate Stock of The City of New York, for the Construction of a Building in Bryant Park for the New York Public Library, Astor, Lenox and Tilden Foundations. Principal payable May 1st, 1919. Interest payable semi-annually on May 1st and November 1st.

This stock was duly authorized by the Greater New York Charter, as amended, and other acts of the Legislature of the State of New York, and by the Municipal authorities of The City of New York, and is free and exempt from all taxation.

2,000,000 of Assessment Bonds of The City of New York (for Street Improvements). Principal payable May 1st, 1919. Interest payable semi-annually on May 1st and November 1st.

These Bonds were duly authorized by the Greater New York Charter, as amended, and by the Municipal authorities of The City of New York, and are free and exempt from all taxation.

The interest on all of said Stock and Bonds which may be issued in Coupon form will be paid at the option of the holder thereof, at the office of the Comptroller of The City of New York or at the office of the City's Agent in London, England, at the rate of \$4,870 to the pound sterling.

The said stock and bonds are issued in accordance with the provisions of section 10 of article 8 of the Constitution of the State of New York.

The principal of and interest on said stock and bonds are payable in gold coin of the United States of America, of the present standard of weight and fineness, pursuant to resolutions of the Commissioners of the Sinking Fund, adopted June 8th, 1883, and April 16th, 1884.

CONDITIONS OF SALE.

As provided for by the Greater New York Charter.

1. Proposals containing conditions other than those herein set forth will not be received or considered.

2. No proposal for bonds or stock shall be accepted for less than the par value of the same.

3. Every bidder, as a condition precedent to the reception or consideration of his proposal, shall deposit with the Comptroller in money, or by a certified check drawn to the order of said Comptroller upon a trust company or a state bank incorporated and doing business under the laws of the State of New York, or upon a National Bank. Two per cent. of the par value of the bonds or stock bid for in said proposal.

No proposal will be received or considered which is not accompanied by such deposit.

All such deposits shall be returned by the Comptroller to the persons making the same within three days after the decision has been rendered as to who is or are the highest bidder or bidders, except the deposit made by the

one foot wide on both sides of Sixty-seventh street, between Fort Hamilton and Fourteenth avenues.

No. 2. Sixty-seventh Street.—To pave Sixty-seventh street with asphalt on concrete foundation, between Fort Hamilton and Fourteenth avenues.

No. 3. Fifty-sixth Street.—To amend resolution of May 7, 1908, initiating proceedings to construct a sewer in Fifty-sixth street, between Eleventh and Twelfth avenues, and between Seventeenth avenue and Washington Cemetery. Note.—Provision is made for the above sewer, measurements on the calendar of the Bay Ridge and Flatbush Districts, respectively, to be.

No. 4. Twentieth Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks five feet wide on both sides of Twentieth avenue, between Sixty-sixth and Seventy-sixth streets.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

NOTICE IS HEREBY GIVEN THAT THE
following petition, on file and ready for inspection, will be submitted to the Local Board of the PROSPECT HEIGHTS and PLATHUS DISTRICTS at a meeting to be held in the office of the President of the Borough, Room 2, Borough Hall, Brooklyn, on

MONDAY, JUNE 14, 1909.

No. 1. Prospect Place.—To construct asphalt sewer in Prospect place, between Sherman avenue and Concourse avenue; to lay asphalt on concrete foundation Sherman place and Concourse avenue; and in Bayview Avenue, between Concourse Avenue and Sherman Avenue, and in Sherman Avenue and Sherman Avenue, and in Concourse Avenue between Wilmer place and Terrell place, and between both on the northern corner of Sherman place and Bayview Avenue.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

NOTICE IS HEREBY GIVEN THAT THE
following petition, on file and ready for inspection, will be submitted to the Local Board of the WILMERSHILL DISTRICT at a meeting to be held in the office of the President of the Borough, Room 2, Borough Hall, Brooklyn, on

MONDAY, JUNE 14, 1909.

No. 1. Elmwood Avenue.—To open Elmwood Avenue, from Dyker Avenue to Madison Avenue; No. 2. Atlantic Avenue.—To construct a sewer in Atlantic Avenue, between Avenue and Madison Avenue, and an asphalt sewer in Avenue street, between Avenue and Madison Avenue.

No. 3. North Park Street.—Constructing sewer at the corner of North Park street and East River from a point 100 feet west of the southwest corner of North Park street to the property of the Pennsylvania National Company. Block strength concrete and set of asphalt on concrete foundation to a point 100 feet west of the East River.

No. 4. 41st Street.—To extend sewer in Dyker place, from the Franklin line to the Dyker line.

No. 5. South Park Street.—Construct an outlet for the south Park street sewer, beginning in the center of South Park street, about 10 feet east of Kent Avenue; thence westward, across South Park street, and across land of the City of New York, under jurisdiction of the Department of Buildings, to a point in South Park street, about 100 feet west of Kent Avenue.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

NOTICE IS HEREBY GIVEN THAT THE
following petition, on file and ready for inspection, will be submitted to the Local Board of the PLATHUS DISTRICT at a meeting to be held in the office of the President of the Borough, Room 2, Borough Hall, Brooklyn, on

MONDAY, JUNE 14, 1909.

No. 1. 18th Street.—To include with a wooden rail fence 8 feet high the lots lying on the south side of 18th street, between Washington Avenue and Classon Avenue, known as No. 11, Block 1187.

No. 2. St. John's Place.—To include with a wooden rail fence 8 feet high the lots lying on the south side of St. John's place, between Washington Avenue and Classon Avenue, known as No. 21, Block 1187.

No. 3. Crown Street.—To pave Crown street with asphalt on concrete foundation, from Washington Avenue to a point 112 feet west of Franklin Avenue and from a point 235 feet west of Franklin Avenue to Franklin Avenue.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

NOTICE IS HEREBY GIVEN THAT THE
following petition, on file and ready for inspection, will be submitted to the Local Board of the BUSHWICK DISTRICT at a meeting to be held in the office of the President of the Borough, Room 2, Borough Hall, Brooklyn, on

MONDAY, JUNE 14, 1909.

No. 1. Franklin Place.—To acquire title to the public place bounded by Franklin, Myrtle and Williamsburg Avenue, and, proceeding to the Board of Estimate and Apportionment that the use of easements for said purpose be limited to the following boundaries: Lexington Avenue (south side) on the north, Broadway (north side) on the south, Troutman street (east side) on the west and Suydam street (west side) on the east.

No. 2. Montrose Avenue.—To construct a sewer in Montrose Avenue, as extended, between Union Avenue and Broadway.

No. 3. Montrose Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks from each line to the curvilinear line in Montrose Avenue, as extended, from Union Avenue to Broadway.

No. 4. Montrose Avenue.—To pave Montrose Avenue, as extended, from Union Avenue to Broadway, with asphalt on concrete foundation.

No. 5. DeKalb Avenue.—To amend resolution of November 26, 1908, initiating proceedings to regulate, grade, set curb on concrete and lay cement sidewalks on DeKalb Avenue, from Wyckoff Avenue in the Borough line, by excluding from the previous thereof the portion of DeKalb Avenue lying between Wyckoff and St. Nicholas Avenue.

No. 6. DeKalb Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on DeKalb Avenue, between Wyckoff and St. Nicholas Avenue.

No. 7. DeKalb Avenue.—To amend resolution of November 26, 1908, initiating proceedings to pave DeKalb Avenue with asphalt on concrete foundation, between Wyckoff Avenue and the Borough line, by excluding from the previous thereof the portion of DeKalb Avenue lying between Wyckoff and St. Nicholas Avenue.

No. 8. DeKalb Avenue.—To pave DeKalb Avenue with asphalt on concrete foundation, between Wyckoff and St. Nicholas Avenue.

No. 9. Stockholm Street.—To amend resolution of November 26, 1908, initiating proceedings to regulate, grade, set curb on concrete and lay cement sidewalks on Stockholm street, between Wyckoff Avenue and the Borough line, where not already done, by excluding from the previous thereof the portion of Stockholm street lying between Wyckoff and St. Nicholas Avenue.

No. 10. Stockholm Street.—To regulate, grade, set curb on concrete and lay cement sidewalks on Stockholm street, between Wyckoff and St. Nicholas Avenue, where not already done.

No. 11. Stockholm Street.—To amend resolution of November 26, 1908, initiating proceedings to pave Stockholm street with asphalt on concrete foundation, between Wyckoff Avenue and the Borough line, by excluding from the previous thereof the portion of Stockholm street lying between Wyckoff and St. Nicholas Avenue.

No. 12. Stockholm Street.—To pave Stockholm street with asphalt on concrete foundation, between Wyckoff and St. Nicholas Avenue.

No. 13. Haskoll Street.—To enclose with a wooden rail fence six feet high the lots lying on the north side of Haskoll street, between Evergreen and Central avenues, known as No. 6, Block 3289.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

NOTICE IS HEREBY GIVEN THAT THE

following petition, on file and ready for inspection, will be submitted to the Local Board of the NEW LOTTS DISTRICT, at a meeting to be held in the office of the President of the Borough, Room 2, Borough Hall, Brooklyn, on

MONDAY, JUNE 14, 1909.

No. 1. Stockholm Street.—To regulate, grade, set curb on concrete and lay cement sidewalks on Stockholm street, between Wyckoff and St. Nicholas Avenue, where not already done.

No. 2. Stockholm Street.—To regulate, grade, set curb on concrete and lay cement sidewalks on Stockholm street, between Wyckoff and the Borough line, by excluding from the previous thereof the portion of Stockholm street lying between Wyckoff and St. Nicholas Avenue.

No. 3. Fifty-sixth Street.—To pave Fifty-sixth street with asphalt block on concrete foundation, between Sixth and Seventh avenues.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

NOTICE IS HEREBY GIVEN THAT THE

following petition, on file and ready for inspection, will be submitted to the Local Board of the NEW LOTTS DISTRICT, at a meeting to be held in the office of the President of the Borough, Room 2, Borough Hall, Brooklyn, on

MONDAY, JUNE 14, 1909.

at 2:30 p.m.

No. 1. Sunnyside Avenue.—To alter the map or plan of the City of New York by changing the grade of Sunnyside Avenue and intersecting streets between Vermont street and Highland Park.

No. 2. Clinton Place.—To alter the map or plan of The City of New York by changing Clinton place from its present western terminus to a point about 10 feet north thereof.

No. 3. Washington Place.—To open Washington place from Vermont Avenue to its western end, about 250 feet west of Crescent Avenue.

No. 4. Rockaway Avenue.—To pave Rockaway Avenue with asphalt on concrete foundation, between Rockdale and Lott Avenue.

No. 5. Dumont Avenue.—To pave Dumont Avenue with asphalt on concrete foundation, between Van Sickle and Schenck Avenue.

No. 6. Hatzman Avenue.—To construct sewer basin on Hatzman Avenue, at the northeast and northwest corners of Stone Avenue; at the northeast and northwest corners of Clinton Avenue; at the northeast and northwest corners of Howell Street; at the northeast and northwest corners of Jenkins Street, and at the northeast corner of Van Simmeren Avenue.

No. 7. Seaside Avenue.—To regulate, grade, set cement curb and lay cement sidewalks five feet wide, where not already done, on Seaside Avenue, between Atlantic and Liberty Avenue.

No. 8. Seaside Avenue.—To pave Seaside Avenue with asphalt on concrete foundation, between Dumont and Riverdale Avenue.

No. 9. Shoreland Avenue.—To regulate, grade, set cement curb and lay cement sidewalks five feet wide, where not already done, on Shoreland Avenue, between Atlantic and Liberty Avenue.

No. 10. Sherman Avenue.—To pave Sherman Avenue with asphalt on concrete foundation, between Atlantic and Liberty Avenue.

No. 11. Solter Avenue.—To pave Solter Avenue with asphalt on concrete foundation, between Howell Avenue and Grafton Street.

No. 12. Solter Avenue.—To open Solter Avenue with asphalt on concrete foundation, from Vigo Street to Elmwood Street.

No. 13. New Lots Avenue.—To alter the map or plan of The City of New York by locating and laying out and acquiring title to New Lots Avenue, between Dumont and Fountain Avenue.

No. 14. New Lots Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on New Lots Avenue, between Dumont and Fountain Avenue.

No. 15. Louisiana Avenue.—To amend resolution of December 21, 1908, initiating proceedings to regulate, grade, set curb and lay cement sidewalks on Louisiana Avenue, from the right-of-way of the Long Island Railroad, between Seaside and Nineteenth Avenue to Nineteenth Avenue.

No. 16. Nineteenth Avenue.—To set cement curb and lay cement sidewalks 5 feet wide on both sides of Nineteenth Avenue, from Eighty-sixth Street to Bath Avenue, and to have that portion of the curbs not already paved with asphalt on concrete foundation.

No. 17. Grayson Avenue.—To construct a sewer in Grayson Avenue, from Avenue C to Foster Avenue, except that portion already built in Grayson Avenue, west side, from Webster Avenue, northward, about 112 feet, and outlet sewer in Avenue D (Cortelyou road), from Grayson Avenue to East Second Street, in Utman Avenue, from Utman Avenue to East Second Street, and from Avenue F, from Utman Avenue to East Second Street.

No. 18. Eighty-third Street.—To construct a sewer in Eighty-third Street, between Seventeenth and Eighteenth Avenue, and an outlet sewer in Fourth Avenue, west side, between Eighteenth and Eighty-third Streets.

No. 19. Belmont Avenue.—To pave Belmont Avenue with asphalt on concrete foundation, between Utman Avenue and Utman Street.

No. 20. Barber Street.—To regulate, grade, set curb on concrete and lay cement sidewalks 5 feet wide on Barber Street, from Utman Avenue to New Lots Avenue.

No. 21. Barber Street.—To pave Barber Street with asphalt on concrete foundation, between Utman and New Lots Avenue.

No. 22. Franklin Place.—To regulate, grade, set curb on concrete and lay cement sidewalks on Franklin Place, between Jamaica Avenue and Eastern Parkway extension.

No. 23. Franklin Place.—Recommending to the Board of Estimate and Apportionment that the roadway of Franklin Place, between Jamaica Avenue and Eastern Parkway extension be fixed at thirty (30) feet.

No. 24. Franklin Place.—Recommending to the Board of Estimate and Apportionment that the roadway of Franklin Place, between Jamaica Avenue and Eastern Parkway extension be fixed at thirty (30) feet.

No. 25. Thadford Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on Thadford Avenue, between Utman Avenue and New Lots Avenue.

No. 26. Utman Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks 5 feet wide on Utman Avenue, between Utman Avenue and New Lots Avenue.

No. 27. Utman Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks 5 feet wide on Utman Avenue, between Utman Avenue and New Lots Avenue.

No. 28. Utman Avenue.—To pave Utman Avenue with asphalt on concrete foundation, from Utman Avenue to New Lots Avenue.

No. 29. Barrett Street.—To pave Barrett Street with asphalt on concrete foundation, between Dumont and Utman Avenue.

No. 30. Barrett Street.—To regulate, grade, set curb on concrete and lay cement sidewalks on Barrett Street, between Dumont and Utman Avenue.

No. 31. Powell Street.—To amend resolution of December 21, 1908, initiating proceedings to pave Powell Street with asphalt on concrete foundation, between Dumont and Riverdale Avenue, by excluding from the previous thereof the portion of Powell Street lying between Utman and Riverdale Avenue.

Note.—The paving of the block to be excluded from the above proceeding is provided for in a resolution now pending in the Board of Estimate and Apportionment for paving between Utman and Utman Avenue.

No. 32. Powell Street.—To regulate, grade, set curb on concrete and lay cement sidewalks on Powell Street, between Riverdale and Utman Avenue.

No. 33. Somers Street, Stone Avenue, Somers Street.—To lay cement sidewalks on both sides of Somers Street, between Broadway and Stone Avenue, where not already laid; on the east side of Stone Avenue, between McDonald Street and Broadway, where not already laid; and on both sides of Somers Street, between Stone Avenue and Broadway, where not already laid.

No. 34. Schenck Avenue.—To enclose with a wooden rail fence six feet high the lot lying on the west side of Schenck Avenue, between Fulton Street and Atlantic Avenue, known as No. 22, in Block 3288.

No. 35. Jerome Street.—To enclose with a wooden rail fence six feet high the lots lying on the east side of Jerome Street, between Blake and Dumont Avenue, known as Nos. 18 and 19, in Block 3288.

No. 36. Fulton Street, Herkimer Street.—To enclose with a wooden rail fence six feet high the lots lying on the south side of Fulton Street and Atlantic Avenue, between Herkimer and Rockaway Avenue, known as Nos. 12, 13, 14, and 15, in Block 3288.

No. 37. Knickerbocker Avenue.—To enclose with a wooden rail fence six feet high the lots lying on the northeast corner of Knickerbocker Avenue and Utman Avenue, between Utman and Rockaway Avenue, known as No. 1, Block 3288.

No. 38. Knickerbocker Avenue.—To enclose with a wooden rail fence six feet high the lots lying on the east side of Knickerbocker Avenue, between Utman and Utman Avenue, between Utman and Rockaway Avenue, known as No. 2, Block 3288.

No. 39. Knickerbocker Avenue.—To enclose with a wooden rail fence six feet high the lots lying on the south side of Knickerbocker Avenue, between Utman and Utman Avenue, between Utman and Rockaway Avenue, known as No. 3, Block 3288.

No. 40. Pilling Street.—To regulate, grade, set cement curb and lay cement sidewalks on Pilling Street, from Evergreen Avenue to the right-of-way of the Long Island Railroad (Manhattan Branch).

No. 41. Pilling Street.—To pave Pilling Street with asphalt on concrete foundation, from Evergreen Avenue to the right-of-way of the Long Island Railroad (Manhattan Branch).

No. 42. Miller Avenue.—To enclose with a wooden rail fence six feet high the lots lying on the west side of Miller Avenue, between Bedford and Solter Avenue; and on the north side of Miller Avenue, between Bedford and Bedford Street, known as Nos. 40, 41, 42 and 43, Block 3288.

No. 43. Lott Avenue.—To pave Lott Avenue with asphalt on concrete foundation, between Christopher Avenue and Powell Street.

No. 44. Lott Avenue.—To pave Lott Avenue with asphalt on concrete foundation, between Christopher Avenue and Powell Street.

No. 45. Miller Avenue.—To enclose with a wooden rail fence six feet high the lots lying on the west side of Miller Avenue, between Bedford and Bedford Street, known as Nos. 40, 41, 42 and 43, Block 3288.

No. 46. Eighty-first Street.—To alter the map or plan of The City of New York by laying and laying out an extension of Eighty-first Street, from Narrows Avenue to the Stone Road, and to acquire title thereto.

No. 47. Eighty-first Street.—To open Eighty-first Street, from Narrows Avenue to First Avenue, and from Third Avenue to Eleventh Avenue.

No. 48. New Lots Avenue.—To alter the map or plan of The City of New York by laying and laying out and acquiring title to New Lots Avenue, between Dumont and Fountain Avenue.

No. 49. New Lots Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on New Lots Avenue, between Dumont and Fountain Avenue.

No. 50. Louisiana Avenue.—To amend resolution of December 21, 1908, initiating proceedings to regulate, grade, set curb and lay cement sidewalks on Louisiana Avenue, between New Lots and Vienna Avenue, to read: "Between Williams and Vienna Avenue."

No. 51. Deucher Street.—To regulate, grade, set curb on concrete and lay cement sidewalks on Deucher Street, between Liberty and Belmont Avenues.

No. 52. Deucher Street.—To pave Deucher Street with asphalt on concrete foundation, between Liberty and Belmont Avenues.

No. 53. Belmont Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on Belmont Avenue, between Utman Avenue and Utman Street.

No. 54. New Lots Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on New Lots Avenue, between Dumont and Utman Avenue.

No. 55. New Lots Avenue.—To pave New Lots Avenue with asphalt on concrete foundation, between Utman Avenue and Utman Street.

No. 56. Belmont Avenue.—To pave Belmont Avenue with asphalt on concrete foundation, between Utman Avenue and Utman Street.

No. 57. Belmont Avenue.—To regulate, grade, set curb on concrete and lay cement sidewalks on Belmont Avenue, between Utman Avenue and Utman Street.

No. 58. First Avenue.—To construct a sewer in First Avenue, between Bay Ridge Avenue and Seventy-first Street, and an outlet sewer in Second Avenue, between First and Second Avenues.

No. 59. Seventy-seventh Street.—To amend resolution of April 29, 1908, initiating proceedings to construct a sewer in Seventy-seventh Street, between First and Second Avenues, by including in the provisions thereof an outlet sewer in Seventy-seventh Street, between Narrows and First Avenues.

No. 60. Nineteenth Street.—To amend resolution of October 12, 1908, initiating proceedings to construct a sewer basin at the easterly corner of Nineteenth Street and Gelston Place, by including in the provisions thereof the construction of a sewer basin at the northerly corner of Nineteenth Street and Gelston Place.

No. 61. Nineteenth Street.—To extend sewer in

No. 19. Nineteenth Street—To pave Nineteenth street with granite on concrete foundation from Third avenue to the bulkhead located 1,260 feet, more or less, westward from Third avenue.

No. 20. Senator Street—To amend resolution of July 15, 1907, initiating proceedings to regulate grade, set curb on concrete and lay cement sidewalks on Senator street, between Second and Fifth avenues, where not already done, by excluding from the provisions thereof the portion of Senator street lying between Fourth and Fifth avenues.

No. 21. Senator Street—To regulate grade, set curb on concrete and lay cement sidewalks on Senator street, between Fourth and Fifth avenues.

No. 22. Senator Street—To amend resolution of July 15, 1907, initiating proceedings to pave Senator street with asphalt on concrete foundation between Second and Fifth avenues, where not already done, by excluding from the provisions thereof the portion of Senator street lying between Fourth and Fifth avenues.

No. 23. Senator Street—To pave Senator street with asphalt on concrete foundation between Fourth and Fifth avenues.

No. 24. Tenth Avenue—To construct a sewer in Tenth avenue, between New Utrecht avenue and Forty-seventh street, and in Tenth avenue, between Sixtieth and Sixty-second streets, and sewer basins at the north corner of Tenth avenue and Fifty-third street; at all four corners of Tenth avenue and Sixty-fourth street and at the south corner of Tenth avenue and Sixty-eighth street, and an outlet sewer in Forty-sixth street, between Tenth and Fort Hamilton avenues.

No. 25. Forty-third Street—To construct sewer basins in Forty-third street, at the north and west corners of Ninth avenue and at the north and west corners of Tenth avenue.

No. 26. Senator Street—To grade to the level of the curb the lots lying on the south side of Senator street, between Fourth and Fifth avenues, known as No. 28, Block 235.

No. 27. Sixth Avenue—To grade to the level of the curb the lots lying on the west side of Sixth avenue, between Forty-sixth and Forty-seventh streets, known as Nos. 36 and 39, in Block 737.

No. 28. Eighty-eighth Street—To grade to the level of the curb the lots lying on the north side of Eighty-eighth street, between Fort Hamilton avenue and Gating place, and on the east side of Fort Hamilton avenue, between Eighty-sixth and Eighty-eighth streets, known as Nos. 41 and 8, in Block 6053.

No. 29. Sixth Avenue—To enclose with a wooden rail fence six feet high the lots lying on the west side of Sixth avenue, between Forty-sixth and Forty-seventh streets, known as Nos. 36, 37, 38 and 39, in Block 737.

Note—Engineer states that there is no Lot No. 36 in the above locality.

No. 30. Butler Street—To enclose with a wooden rail fence six feet high the lot lying on the south side of Butler street, between Fourth and Fifth avenues, known as No. 16, in Block 243.

No. 31. Nineteenth and Twenty-first Streets—To enclose with a wooden rail fence six feet high the lots lying on the south side of Nineteenth street, between Seventh and Eighth avenues, and on the north side of Twenty-first street, between Seventh and Eighth avenues, known as Nos. 36, 37, 38, 39, 40 and portions of Nos. 36 and 37, in Block 287.

BIRD S. COLER, President.
CHARLES FREDERICK ADAMS, Secretary.

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, JUNE 2, 1909.

FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR PUMPING ENGINE AND POWER PLANT FOR OPERATING GOWANUS FLUSHING TUNNEL, BOROUGH OF BROOKLYN.

The time allowed for the completion of the work and full performance of the contract will be two hundred (200) calendar days.

The amount of security required will be Twenty Thousand Dollars (\$20,000).

The bids will be compared and the contract awarded at a lump or aggregate sum.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Sewers, the Borough of Brooklyn, No. 215 Montague street, Brooklyn.

BIRD S. COLER, President.
Dated May 25, 1909.

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See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, JUNE 2, 1909.

Borough of Brooklyn.

No. 1. FOR REGULATING AND REPAVING WITH GRANITE PAVEMENT ON A CONCRETE FOUNDATION A PORTION OF THE ROADWAY OF FLEEMAN AVENUE, FROM FLUSHING AVENUE TO BULKHEAD LINE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

535 square yards granite pavement, with tar and gravel joints (1 year maintenance), 400 square yards of old stone pavement, to be replaced.

119 cubic yards of concrete, 300 linear feet of new curbs and gutters, set in concrete.

278 linear feet of old curbs and gutters, reset in concrete.

750 cubic yards of earth excavation, 5,000 square feet of cement sidewalk.

50 square feet of new granite bridge stone, 25 square feet of old bridge stone, to be replaced.

1 sewer basin, to be rebuilt.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Thirteen Hundred Dollars (\$1,300).

No. 2. FOR FENCING VACANT LOTS ON THE SOUTH SIDE OF DE SALES PLACE, BETWEEN BUSHWICK AVENUE AND BROADWAY, AND ON VARIOUS OTHER STREETS IN THE BOROUGH OF BROOKLYN.

The Engineer's estimate of the quantity is as follows:

1,070 linear feet wooden rail fence, six feet high.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is One Hundred and Eighty Dollars (\$180).

No. 3. FOR FENCING VACANT LOTS ON THE SOUTHEAST SIDE OF RICHARDS STREET, BETWEEN KING AND SULLIVAN STREETS, AND ON VARIOUS OTHER STREETS IN THE BOROUGH OF BROOKLYN.

Engineer's estimate of the quantity is as follows:

1,404 linear feet wooden rail fence, six feet high.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Two Hundred Dollars (\$200).

The bidder will state the price of each item or article contained in the specifications or schedules herein contained or hereto annexed, per cubic yard, square foot, linear foot, square yard or other unit of measure, by which the bids will be tested. The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Highways, No. 14 Municipal Building, the Borough of Brooklyn.

BIRD S. COLER, President.

Dated May 24, 1909.

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See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICE OF THE PRESIDENT OF THE BOROUGH OF BROOKLYN, ROOM 2, BOROUGH HALL, BOROUGH OF BROOKLYN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE received by the President of the Borough of Brooklyn at the above office until 11 o'clock a. m. on

WEDNESDAY, JUNE 2, 1909.

No. 1. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN FORTY-FOURTH STREET, BETWEEN SEVENTH AND NINTH AVENUES, WITH OUTLET SEWERS IN EIGHTH AVENUE, BETWEEN FORTY-FOURTH AND FORTY-NINTH STREETS, IN NINTH AVENUE, ETC.

The Engineer's estimate of the quantities is as follows:

521 linear feet of 30-inch brick sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$4.

1,543 linear feet of 24-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$3.10.

515 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$2.45.

520 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$2.

1,980 linear feet of 12-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.60.

2,200 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.

46 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$30.

21 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$130.

4,000 feet (B. M.) of foundation planking, laid in place complete, including all incidentals and appurtenances, per thousand feet (B. M.), \$18.

Total..... \$23,595.25

The time allowed for completing the work and full performance of the contract will be one hundred and twenty (120) working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

No. 2. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN SEVENTY-SECOND STREET, FROM THIRTEENTH AVENUE TO NEW Utrecht AVENUE, ETC.

The Engineer's estimate of the quantities is as follows:

335 linear feet of 24-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$3.

669 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$2.40.

45 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$2.60.

1,420 linear feet of 12-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.55.

1,906 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.

26 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$30.

3 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$130.

3,306 feet (B. M.) of sheeting and bracing, driven in place complete, including all incidentals and appurtenances, per thousand feet (B. M.), \$18.

Total..... \$3,075.50

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Two Thousand Five Hundred Dollars (\$2,500).

No. 3. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN EAST THIRD STREET, FROM AVENUE D (CORTELYOU ROAD) TO AVENUE E (DITMAS AVENUE), ETC.

The Engineer's estimate of the quantities is as follows:

269 linear feet of 48-inch brick sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$8.20.

90 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.80.

1,050 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.

18 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$30.

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$130.

2,000 feet (B. M.) of foundation planking, laid in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.), \$18.

Total..... \$3,517.00

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

No. 4. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN SIXTEENTH AVENUE, FROM BENSON AVENUE TO BATH AVENUE.

The Engineer's estimate of the quantities is as follows:

340 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$3.80.

285 linear feet of 12-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.70.

9 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$35.

1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$135.

13 house connection drains, reconnected complete, including all incidentals and appurtenances, per connection, \$5.

13 linear feet of 6-inch sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per linear foot (B. M.), \$18.

Total..... \$3,415.50

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Seven Hundred Dollars (\$700).

No. 5. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN EIGHTEEN AVENUE, FROM BENSON AVENUE TO BATH AVENUE.

The Engineer's estimate of the quantities is as follows:

45 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$3.80.

600 linear feet of 12-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.70.

8 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$30.

1,230 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.

1,800 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.), \$18.

Total..... \$3,510.00

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Ten Thousand Dollars (\$10,000).

No. 6. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWERS IN APPLE, PEACH, AND PEAR STREETS, WALLABOUT MARKET LANDS.

The Engineer's estimate of the quantities is as follows:

80 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.40.

800 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 70 cents.

10 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$35.

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$130.

2,000 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.), \$18.

Total..... \$3,517.00

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Two Thousand Dollars (\$2,000).

No. 7. FOR FURNISHING ALL THE LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN EIGHTEEN AVENUE, FROM BENSON AVENUE TO BATH AVENUE.

The Engineer's estimate of the quantities is as follows:

35 linear feet of 18-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot,

300 feet (B. M.) of sheeting and bracing driven in place, complete, including all incidentals and appurtenances; per thousand feet (B. M.) \$18..... 9.00
Total..... \$2,347.25

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Twelve Hundred Dollars (\$1,200).

No. 10. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN EAST TWENTY-EIGHTH STREET, FROM FARRAGUT ROAD TO FOSTER AVENUE.

The Engineer's estimate of the quantities is as follows:

45 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.00.....	\$117.00
760 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.45.....	1,102.00
ESU linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 70 cents.....	595.00
8 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$10.....	400.00
1,300 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.) \$18.....	27.00
Total.....	\$2,241.00

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Eleven Hundred Dollars (\$1,100).

No. 11. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN FULTON STREET, FROM STONE AVENUE TO SACKMAN STREET.

The Engineer's estimate of the quantities is as follows:

300 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$2.50.....	\$1,250.00
1 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$10.....	250.00
2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$150.....	300.00
20,000 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.) \$18.....	360.00
Total.....	\$2,105.00

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Eleven Hundred Dollars (\$1,100).

No. 12. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN FORTY-FIFTH STREET, FROM THIRTEENTH AVENUE TO FOURTEENTH AVENUE.

The Engineer's estimate of the quantities is as follows:

90 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.75.....	\$157.50
700 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.50.....	1,050.00
720 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.....	540.00
8 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....	400.00
Total.....	\$2,147.50

The time allowed for completing the work and full performance of the contract will be forty (40) working days.

The amount of security required will be Eleven Hundred Dollars (\$1,100).

No. 13. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN FORTY-SIXTH STREET, FROM TWELFTH AVENUE TO NEW Utrecht AVENUE.

The Engineer's estimate of the quantities is as follows:

623 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.40.....	\$1,006.00
435 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.....	326.25
6 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....	200.00
2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$150.....	300.00
Total.....	\$1,886.25

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Nine Hundred and Fifty Dollars (\$950).

No. 14. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN HAMILTON AVENUE, BETWEEN COURT STREET AND BUSH STREET, AND AN OUTLET SEWER IN BUSH STREET, BETWEEN HAMILTON AVENUE AND COURT STREET.

The Engineer's estimate of the quantities is as follows:

210 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.95.....	\$419.50
200 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.70.....	340.00
5 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....	250.00
1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin head and connecting culvert, including all incidentals and appurtenances, per basin, \$150.....	150.00
180 feet (B. M.) of foundation planking, laid in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.) \$18.....	3.24
4 cubic yards of concrete, cradled in place, complete, including extra excavation and all incidentals and appurtenances, per cubic yard, \$2.....	20.00
15,000 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.) \$18.....	270.00
Total.....	\$1,652.74

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Eight Hundred Dollars (\$800).

No. 15. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN EAST TWENTY-FIFTH STREET, FROM CLARENDON ROAD TO CANARIE LANE.

The Engineer's estimate of the quantities is as follows:

32 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$2.50.....	\$119.00
410 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.40.....	574.00
5 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....	250.00
2,800 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.) \$18.....	36.00
446 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 70 cents.....	308.00
Total.....	\$3,287.00

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Six Hundred and Fifty Dollars (\$650).

No. 16. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN THIRTEENTH AVENUE, FROM FIFTY-SIXTH STREET TO FIFTY-SEVENTH STREET.

The Engineer's estimate of the quantities is as follows:

220 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.60.....	\$352.00
490 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.....	367.50
3 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....	150.00
1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin head and connecting culvert, including all incidentals and appurtenances, per basin, \$150.....	120.00
Total.....	\$999.50

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Five Hundred Dollars (\$500).

No. 17. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN AVENUE C, FROM EAST FOURTH STREET TO EAST FIFTH STREET.

The Engineer's estimate of the quantities is as follows:

220 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.75.....	\$385.00
295 linear feet of 6-inch house connection drain, laid complete, including all incidentals and appurtenances, per linear foot, 75 cents.....	221.25
2 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....	150.00
Total.....	\$756.25

The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Four Hundred Dollars (\$400).

No. 18. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER IN FIFTEENTH AVENUE, FROM SEVENTY-SECOND STREET TO LEVENTY-THIRD STREET.

The Engineer's estimate of the quantities is as follows:

230 linear feet of 15-inch pipe sewer, laid complete, including all incidentals and appurtenances, per linear foot, \$1.70.....	\$291.00
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The time allowed for completing the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Seven Hundred Dollars (\$700).

3 manholes, complete, with iron heads and covers, including all incidentals and appurtenances, per manhole, \$20.....

9,000 feet (B. M.) of sheeting and bracing, driven in place, complete, including all incidentals and appurtenances, per thousand feet (B. M.) \$18.....

150.00

162.00

Total..... \$703.00

The time allowed for the completion of the work and full performance of the contract will be thirty (30) working days.

The amount of security required will be Three Hundred and Fifty Dollars (\$350).

No. 19. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASIN AT THE NORTHERLY CORNER OF NINETEENTH AVENUE AND EIGHTIETH STREET.

The Engineer's estimate of the quantities is as follows:

1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin head and connecting culvert, including all incidentals and appurtenances, per basin, \$140.....	1.24
4 cubic yards of concrete, cradled in place, complete, including extra excavation and all incidentals and appurtenances, per cubic yard, \$2.....	20.00

The time allowed for completing the work and full performance of the contract will be ten (10) working days.

The amount of security required will be Eighty Dollars (\$80).

No. 20. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT ALL FOUR CORNERS OF OSBORN STREET AND NEWPORT AVENUE, ETC.

The Engineer's estimate of the quantities is as follows:

7 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$125.....	875.00
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The time allowed for completing the work and full performance of the contract will be twenty (20) working days.

The amount of security required will be Four Hundred Dollars (\$400).

No. 21. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST FIFTH STREET AND BEVERLEY ROAD.

The Engineer's estimate of the quantities is as follows:

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$125.....	250.00
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The time allowed for completing the work and full performance of the contract will be ten (10) working days.

The amount of security required will be Four Hundred Dollars (\$400).

No. 22. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT THE NORTHEAST AND NORTHWEST CORNERS OF AVENUE D AND EAST SIXTEENTH STREET.

The Engineer's estimate of the quantities is as follows:

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$125.....	250.00
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The time allowed for completing the work and full performance of the contract will be ten (10) working days.

The amount of security required will be Two Hundred Dollars (\$200).

No. 23. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT THE NORTHEAST AND NORTHWEST CORNERS OF AVENUE D AND EAST SIXTEENTH STREET.

The Engineer's estimate of the quantities is as follows:

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$125.....	250.00
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The time allowed for completing the work and full performance of the contract will be fifteen (15) working days.

The amount of security required will be One Hundred and Forty Dollars (\$140).

No. 24. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASINS AT THE NORTHERLY AND EASTERN CORNERS OF BAY TENTH STREET AND CROPSEY AVENUE.

The Engineer's estimate of the quantities is as follows:

2 sewer basins, complete, of either standard design, with iron pans or gratings, iron basin heads and connecting culverts, including all incidentals and appurtenances, per basin, \$125.....	250.00
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The time allowed for completing the work and full performance of the contract will be fifteen (15) working days.

The amount of security required will be One Hundred and Forty Dollars (\$140).

No. 25. FOR FURNISHING ALL LABOR AND MATERIAL REQUIRED FOR CONSTRUCTING SEWER BASIN AT THE NORTHWEST CORNER OF GRAVESEND AND WEBSTER AVENUES.

The Engineer's estimate of the quantities is as follows:

1 sewer basin, complete, of either standard design, with iron pans or gratings, iron basin head and connecting culvert, including all incidentals and appurtenances, per basin, \$120.....	120.00
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The time allowed for the completion of the work and the full performance of the contract will be twenty (20) working days.

The amount of security required is Fifty-one Hundred Dollars (\$5100).

No. 26. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF EIGHTY-THIRD STREET, FROM SECOND AVENUE TO SHORE ROAD, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,400 square yards asphalt pavement (five years' maintenance);	935 cubic yards concrete.
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The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 27. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF FIFTY-NINTH STREET, FROM SIXTH AVENUE TO SEVENTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

2,400 square yards asphalt pavement (five years' maintenance);	933 cubic yards concrete.
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The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 28. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF LINDEN AVENUE, FROM NEW YORK AVENUE TO EAST THIRTY-FOURTH STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

The Engineer's estimate of the quantities is as follows:

1,350 square yards asphalt pavement (five years' maintenance);	525 cubic yards concrete.
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The amount of security required is Twelve Hundred Dollars (\$1,200).

No. 4. FOR REGULATING AND PAVING WITH ASPHALT PAVEMENT ON A CONCRETE FOUNDATION THE ROADWAY OF SEVENTY-FOURTH STREET, FROM 44TH AVENUE TO SIXTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

4,640 square yards asphalt pavement (5 years' maintenance).

645 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Thirty-five Hundred Dollars (\$3,500).

No. 5. FOR REGULATING, RESETTING BRICK GUTTERS AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF ARGYLE ROAD (EAST THIRTEENTH STREET), FROM DITMAS AVENUE TO DORCHESTER ROAD, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,175 square yards asphalt pavement (5 years' maintenance).

325 square yards brick gutters, to be relaid,

340 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Seventeen Hundred Dollars (\$1,700).

No. 6. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF EAST ELEVENTH STREET, FROM DORCHESTER ROAD TO DITMAS AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,500 square yards asphalt pavement (5 years' maintenance).

350 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 7. FOR REGULATING, PAVING AND REPAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF EAST TWENTY-THIRD STREET, FROM AVENUE F TO AVENUE G, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,770 square yards asphalt pavement (5 years' maintenance).

380 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty (20) working days.

The amount of security required is Twenty-one Hundred Dollars (\$2,100).

No. 8. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF EIGHTY-FIFTH STREET, FROM SECOND AVENUE TO THIRD AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,250 square yards asphalt pavement (5 years' maintenance).

315 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Sixteen Hundred Dollars (\$1,600).

No. 9. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF FORTY-FOURTH STREET, FROM SIXTH AVENUE TO SIXTEENTH AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,400 square yards asphalt pavement (5 years' maintenance).

345 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Seventeen Hundred Dollars (\$1,700).

No. 10. FOR REGULATING, GRADING, CURBING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF HOPKINSON AVENUE, FROM THE END OF THE PRESENT IMPROVEMENT TO ATLANTIC AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

310 square yards asphalt pavement (5 years' maintenance).

45 cubic yards concrete.

170 linear feet new curbstone, set in concrete.

20 cubic yards earth excavation.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Three Hundred Dollars (\$300).

No. 11. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF LINCOLN ROAD, FROM ROGERS AVENUE TO NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,120 square yards asphalt pavement (5 years' maintenance).

320 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is thirty (30) working days.

The amount of security required is Eighteen Hundred Dollars (\$1,800).

No. 12. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF MAPLE STREET, FROM ROGERS AVENUE TO NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,000 square yards asphalt pavement (5 years' maintenance).

290 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

No. 13. FOR REGULATING AND PAVING WITH ASPHALT ON A CONCRETE FOUNDATION THE ROADWAY OF MIDWOOD STREET, FROM ROGERS AVENUE TO NOSTRAND AVENUE, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,110 square yards asphalt pavement (5 years' maintenance).

260 cubic yards concrete.

The time allowed for the completion of the work and the full performance of the contract is twenty-five (25) working days.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

No. 14. FOR REGULATING, GRADING, CURBING AND LAYING SIDEWALKS ON BELMONT AVENUE, FROM VAN SICKLEN AVENUE TO WARWICK STREET, TOGETHER WITH ALL WORK INCIDENTAL THERETO.

Engineer's estimate of the quantities is as follows:

2,270 linear feet new curbstone, set in concrete.

180 linear feet old curbstone, reset in concrete.

1,010 cubic yards earth excavation.

380 cubic yards earth filling (not to be bid for).

130 cubic yards concrete (not to be bid for).

10,000 square feet new sidewalk.

The time allowed for the completion of the work and the full performance of the contractor is thirty-five (35) working days.

The amount of security required is Fifteen Hundred Dollars (\$1,500).

The bidder will state the price of each item or article contained in the specifications, or schedules herein contained or herein annexed, per linear foot, square foot, square yard, cubic yard or other unit of measure, by which the bids will be tested.

The bids will be compared and the contract awarded at a lump or aggregate sum for each contract.

Blank forms and further information may be obtained and the plans and drawings may be seen at the office of the Bureau of Highways, the Borough of Brooklyn, No. 14 Municipal Building, Brooklyn.

BIRD S. COLER, President.

Dated May 17, 1909.

For Item No. 5 plans may be examined at the office of Charles Warner, architect, No. 26 Court street, Brooklyn.

For Item No. 6 plans may be examined at the office of the Armory Board, Suite 6, (Statement), Hall of Records, Chamber and Centre streets, Manhattan.

THE ARMORY BOARD.

GEORGE H. McCLELLAN, Mayor;

HEMMAN A. METZ, Comptroller;

PATRICK F. McGOWAN, President of the Board of Aldermen;

GEORGE MOORE SMITH, Brigadier-General, Commanding First Brigade;

JOHN E. EASY, Brigadier-General, Commanding Second Brigade;

J. W. MILLER, Commanding Officer of the Naval Militia;

LAURENCE PUSSET, President of the Department of Taxes and Assessments.

The City of New York, May 20, 1909.

duly sworn, deposed and said: That he resides in Greenwich, Conn., and is President of Triborough Railroad Company, the corporation described in and which executed the above instrument; that he knew the seal of said corporation and the seal affixed to said instrument was such corporate seal and was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

EDWARD T. MACOPTIN, Notary Public, (NOTARIAL SEAL) New York County, N. Y.—and the following resolutions were thereupon adopted:

Whereas, the foregoing petition from the Triborough Railroad Company, dated May 4, 1909, was presented to the Board of Estimate and Apportionment at a meeting held May 14, 1909.

Resolved, That, in pursuance of law, this Board sets Friday, the 11th day of June, 1909, at 10:30 o'clock in the forenoon, and Room 16, in the City Hall, Borough of Manhattan, at the time and place when and where such petition shall be first considered, and a public hearing be had thereon, at which citizens shall be entitled to appear and be heard; and be it further

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

JOSEPH HAAG, Secretary, New York, May 14, 1909.

m18.11

See General Instructions to Bidders on the last page, last column, of the "City Record."

OFFICIAL PAPERS.

Morning—"The Sun," "The New York Times," Evening—"The Globe," "The Evening Mail," Weekly—"Democracy," "Tammany Times," German—"Stadt-Zeitung."

Designated by the Board of City Record, January 22, 1906; Amended March 1, 1906; November 20, 1906; February 20, 1907, and March 3, 1908.

POLICE DEPARTMENT.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, No. 269 STATE STREET, BROOKLYN, BROOKLYN, May 18, 1909.

PUBLIC NOTICE IS HEREBY GIVEN THAT the twelfth public auction sale, consisting of unclaimed property (watches, chains, charms, rings, pins, silverware, clothing, iron, brass, copper, lead, razors, knives, dice and cases, handbags, etc.), will be held in the Trial Room, No. 269 State street, Borough of Brooklyn, at

THURSDAY, JUNE 10, 1909,

at 10 a. m. THEODORE A. BINGHAM, Commissioner.

m21.10

POLICE DEPARTMENT—CITY OF NEW YORK.

OWNERS WANTED BY THE PROPERTY CLERK of the Police Department of The City of New York, No. 269 Mulberry street, Room No. 9, for the following property, now in his custody, without claimants: Boots, rope, iron, lead, male and female clothing, hats, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

THEODORE A. BINGHAM, Police Commissioner.

POLICE DEPARTMENT—CITY OF NEW YORK, BROOKLYN, BROOKLYN.

OWNERS WANTED BY THE PROPERTY CLERK of the Police Department of The City of New York—Office, No. 269 State street, Borough of Brooklyn—for the following property, now in his custody, without claimants: Boots, rope, iron, lead, male and female clothing, hats, shoes, wine, blankets, diamonds, canned goods, liquors, etc.; also small amount of money taken from prisoners and found by Patrolmen of this Department.

THEODORE A. BINGHAM, Police Commissioner.

BOARD OF ESTIMATE AND APPORTIONMENT.

PUBLIC NOTICE IS HEREBY GIVEN THAT at a meeting of the Board of Estimate and Apportionment held this day a communication, dated May 24, 1909, was received from the Public Service Commission for the First District, transmitting resolutions adopted by that body modifying the routes and general terms of construction of the proposed rapid transit railway, known as "Lexington Avenue Route," by double-decking the portion of the route from Houston street and the Harlem River, and requesting the approval and consent of this Board thereto, and the following resolutions were therupon adopted:

Resolved, that the communication be received, and, in pursuance of law, this Board hereby approves Friday, the 4th day of June, 1909, at 10:30 o'clock in the forenoon, as the time, and Room 16, City Hall, in the Borough of Manhattan, as the place, when and where such plans and conclusions will be considered; and be it further

Resolved, that the Secretary be and hereby is directed to cause notice of such consideration to be published in the City Record.

Dated New York, May 28, 1909.

JOSEPH HAAG, Secretary.

11.4

PUBLIC NOTICE IS HEREBY GIVEN THAT at a meeting of the Board of Estimate and Apportionment, held May 14, 1909, the following petition was received:

No. 1 MADISON AVENUE, New York, May 4, 1909.

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

GENESEE—The Triborough Railroad Company, a railroad corporation duly organized and existing under the laws of the State of New York, hereby makes application to your Honorable Body for the right to construct, operate and maintain a double-track street surface railroad, to be operated by an underground current of electricity, upon, along and through Park Avenue, extension, from its intersection with Fulton street, in the Borough of Brooklyn, to the terminus of the Manhattan Bridge, now being constructed, and for the right to use two of the street surface railroad tracks upon the said Manhattan Bridge, when constructed, across the East River, and for the right to construct, operate and maintain a double-track street surface railroad from the western terminus of the Manhattan Bridge, through Canal street, to the intersection of Canal, Walker and Bleecker streets, in the Borough of Manhattan, together with the necessary terminals, switches and sidings.

Respectfully submitted,

TRIBOROUGH RAILROAD COMPANY, (notarized seal) By HENRY STEVENS, President, State City and County of New York, etc.

On May 10, 1909, before me personally came Henry Stevens, to me known, who, being by me

Board of Estimate and Apportionment, of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grade of the street system lying within the territory bounded by Kingston avenue, Union street, Troy avenue, Eastern parkway, Schenectady avenue, East New York avenue, Albany avenue and LaFerrie avenue; of Union street, from Schenectady avenue to Union avenue, and of Troy avenue, from East New York avenue to Maple street, Borough of Brooklyn, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deems it for the public interest so to do, proposes to change the map or plan of The City of New York by laying out a new street to form the western boundary of John Jay Park, and extending from East Seventy-sixth street, in the Borough of Manhattan, City of New York, more particularly described as follows:

The western line of the new street is to coincide with the western boundary of John Jay Park and the prolongation thereof, and is to extend from East Seventy-sixth street to East Seventy-eighth street.

The western line is to be 40 feet distant from and parallel with the western line.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 4th day of June, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record and the corporation newspapers for ten days consecutive, Sundays and legal holidays excepted, prior to the 4th day of June, 1909.

Dated May 21, 1909.

JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1400, Telephone, 2280 Worth.

that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by changing the grade of West One Hundred and Sixty-sixth street, between St. Nicholas avenue and Edgewater road, in the Borough of Manhattan, City of New York, more particularly shown upon a map or plan bearing the signature of the Secretary of the Board of Estimate and Apportionment, and dated March 24, 1909.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 4th day of June, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days continuously, Sundays and legal holidays excepted, prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to lay out Thirteenth street, between Vernon avenue and the United States pierhead and bulkhead line of the East River, Borough of Queens, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by changing the grade of Park place, between Buffalo avenue and Ralph avenue, Borough of Brooklyn, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by changing the grade of Park place, between Buffalo avenue and Ralph avenue, in the Borough of Brooklyn, City of New York, more particularly shown upon a map or plan signed by the Commissioner of Public Works, and bearing date of October 20, 1907.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 4th day of June, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place to be published in the City Record and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grade of Decatur street, between Knickerbocker avenue and the Borough line, Borough of Brooklyn, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by changing the grade of Decatur street, between Knickerbocker avenue and the Borough line, in the Borough of Brooklyn, City of New York, more particularly shown upon a map or plan bearing the signature of the Secretary of the Board of Estimate and Apportionment, and dated October 22, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 4th day of June, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record and the corporation newspapers for ten days continuously, Sundays and legal holidays excepted, prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to change the grade of Webster avenue, between East One Hundred and Sixty-sixth street and East One Hundred and Sixty-sixth street, Borough of The Bronx, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York, by changing the grade of Webster avenue, between East One Hundred and Sixty-sixth street and

and East One Hundred and Sixty-sixth street, in the Borough of The Bronx, City of New York, more particularly shown upon a map or plan bearing the signature of the President of the Borough of The Bronx, and dated October 6, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 4th day of June, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days continuously, Sundays and legal holidays excepted, prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT THE Board of Estimate and Apportionment of The City of New York, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York so as to lay out Thirteenth street, between Vernon avenue and the United States pierhead and bulkhead line of the East River, Borough of Queens, and that a meeting of said Board will be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on June 4, 1909, at 10:30 o'clock a. m., at which such proposed change will be considered by said Board; all of which is more particularly set forth and described in the following resolutions adopted by the Board on May 7, 1909, notice of the adoption of which is hereby given, viz.:

Resolved, That the Board of Estimate and Apportionment of The City of New York, in pursuance of the provisions of section 442 of the Greater New York Charter as amended, deeming it for the public interest so to do, proposes to change the map or plan of The City of New York by laying out Thirteenth street, between Vernon avenue and the United States pierhead and bulkhead line of the East River, in the Borough of Queens, City of New York, more particularly shown upon a map or plan bearing the signature of the Secretary of the Board of Estimate and Apportionment, and dated April 6, 1908.

Resolved, That this Board consider the proposed change at a meeting of the Board to be held in the City Hall, Borough of Manhattan, City of New York, on the 4th day of June, 1909, at 10:30 o'clock a. m.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby that the proposed change will be considered at a meeting of the Board, to be held at the aforesaid time and place, to be published in the City Record for ten days continuously, Sundays and legal holidays excepted, prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT AT the meeting of the Board of Estimate and Apportionment held on May 7, 1909, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Remsen street, from Remsen avenue to East Ninety-eighth street, in the Borough of Brooklyn, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required, at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding:

1. Beginning at a point on a line midway between Midwood street and Rutland road, distant 100 feet westerly from the westerly line of Newland avenue, and running thence eastwardly along the said line midway between Midwood street and Rutland road to a point distant 100 feet easterly from the easterly line of New York avenue; thence southwardly and parallel with New York avenue to the intersection with a line midway between Rutland road and Fenimore street; thence eastwardly along the said line midway between Rutland road and Fenimore street to a point distant 100 feet easterly from the easterly line of Kingston avenue; thence southwardly and parallel with Kingston avenue to the intersection with the prolongation of a line midway between Fenimore street and Hawthorne street; thence westwardly along the said line midway between Fenimore street and Hawthorne street, and along the prolongation of the said line to the intersection with a line parallel with Nostrand avenue, and passing through the point of beginning; thence northwardly along the said line parallel with Nostrand avenue in the point of place of beginning.

2. Bounding on the north by a line midway between Rutland road and Fenimore street and by the prolongation of the said line; on the east by a line midway between Troy avenue and East Twenty-fifth street; on the south by a line midway between Fenimore street and Hawthorne street and by the prolongations of the said line; and on the west by a line distant 100 feet westerly from and parallel with the westerly line of Albany avenue, the said distance being measured at right angles to Albany avenue.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 4th day of June, 1909, at 10:30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the City Record and the corporation newspapers for ten days prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT AT the meeting of the Board of Estimate and Apportionment held on May 7, 1909, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Lafayette avenue, from a line distant 100 feet northeasterly from and parallel with the northeasterly line of Edgewater road to Claes Point road, in the Borough of The Bronx, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required, at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding:

Beginning at a point on the southwesterly line of Bronx River avenue, where it is intersected by the prolongation of a line midway between Seward avenue and Randall avenue, and running thence southwesterly at right angles to Bronx River avenue to a point distant 150 feet northeasterly from the northeasterly line of Edgewater road, the said distance being measured at right angles to Edgewater road; thence northwesterly and always distant 150 feet northeasterly from and parallel with the northeasterly line of Edgewater road to the intersection with the prolongation of a line midway between Ludlow avenue and Story avenue; thence eastwardly along the said line midway between Ludlow avenue and Story avenue, and along the prolongation of the said line to the intersection with a line midway between Ludlow avenue and Taylor avenue; thence southwardly along the said line midway between Ludlow avenue and Taylor avenue to the intersection with a line parallel with Randall avenue.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 4th day of June, 1909, at 10:30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the City Record and the corporation newspapers for ten days prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT AT the meeting of the Board of Estimate and Apportionment held on May 7, 1909, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Sheffield avenue,

between Livonia avenue and New Lots avenue, in the Borough of Brooklyn, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required, at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Beginning at a point on a line midway between Georgia avenue and Sheffield avenue, distant 100 feet northerly from the northerly line of Livonia avenue, and running thence eastwardly and parallel with Livonia avenue to a line midway between Sheffield avenue and Pennsylvania avenue; thence southwardly along the said line midway between Sheffield avenue and Pennsylvania avenue to the northerly line of New Lots avenue; thence southwardly at right angles to New Lots avenue a distance of 170 feet; thence westwardly and parallel with New Lots avenue to a line at right angles to New Lots avenue, and passing through a point on its northerly side midway between Georgia avenue and Sheffield avenue; thence northwardly along the said line at right angles to New Lots avenue to its northerly side; thence northwardly along a line midway between Sheffield avenue and Georgia avenue to the point or place of beginning.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 4th day of June, 1909, at 10:30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the City Record and the corporation newspapers for ten days prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

NOTICE IS HEREBY GIVEN THAT AT the meeting of the Board of Estimate and Apportionment held on May 7, 1909, the following resolutions were adopted:

Whereas, The Board of Estimate and Apportionment of The City of New York is considering the advisability of instituting proceedings to acquire title to the lands and premises required for the opening and extending of Locust street, from Skillman avenue to Borden avenue, in the Borough of Queens, City of New York; and

Whereas, The Board of Estimate and Apportionment is authorized and required, at the time of the adoption of the resolution directing the institution of proceedings to acquire title to the lands required for the foregoing improvement, to fix and determine upon an area or areas of assessment for benefit for said proceeding.

Resolved, That the Board of Estimate and Apportionment, in pursuance of the provisions of section 980 of the Greater New York Charter, hereby gives notice that the following is the proposed area of assessment for benefit in this proceeding:

Bounded on the north by a line distant 100 feet northerly from and parallel with the northerly line of Skillman avenue; on the east by a line midway between Locust street and Parkard street and by the prolongation of the said line; on the south by a line distant 100 feet southerly from and parallel with the southerly line of Borden avenue; and on the west by a line midway between Locust street and Laurel Hill avenue and by the prolongation of the said line.

Resolved, That this Board consider the proposed area of assessment at a meeting of the Board to be held in The City of New York, Borough of Manhattan, in the City Hall, on the 4th day of June, 1909, at 10:30 a. m., and that at the same time and place a public hearing thereon will then and there be had.

Resolved, That the Secretary of this Board cause these resolutions and a notice to all persons affected thereby to be published in the City Record and the corporation newspapers for ten days prior to the 4th day of June, 1909.

Dated May 21, 1909. JOSEPH HAAG, Secretary, No. 277 Broadway, Room 1406. Telephone, 2280 Worth. m21.3

PUBLIC NOTICE IS HEREBY GIVEN that at the meeting of the Board of Estimate and Apportionment held this day the following proceedings were had:

Whereas, The United Electric Service Company has under date of June 7, 1907, made application to this Board for the grant of the right, privilege and franchise to construct, maintain and operate wires and other conductors, with the necessary poles, papas, conduits and appliances, in, over and under the streets, avenues and highways within and belonging to The City of New York for the purpose of operating an electrical signal system for the calling of messengers, and an electrical burglar alarm system; and

Whereas, Sections 72, 73 and 74 of the Greater New York Charter, as amended by chapters 629 and 630 of the Laws of 1905, provide for the manner and procedure of making such grants; and

Whereas, In pursuance of such laws, this Board adopted a resolution on June 14, 1907, fixing the date for public hearing thereon as July 8, 1907, at which citizens were entitled to appear and be heard, and publication was had for at least fourteen (14) days in the "New York Times" and the "New York Tribune," newspapers designated by the Mayor, and in the City Record for ten (10) days immediately prior to the date of hearing, and the public hearing was duly held on such day; and

Whereas, This Board has made inquiry as to the money value of the franchise or right applied for, and proposed to be granted to the United Electric Service Company, and the adequacy of the compensation proposed to be paid thereon; now, therefore, it is

Resolved, That the following form of the resolution for the grant of the franchise or right applied for by the United Electric Service Company, containing the form of proposed contract for the grant of such franchise or right, is hereby introduced, and entered in the minutes of this Board, as follows, to wit:

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

Proposed Form of Contract. This contract, made this day of

1909, by and between The City of New York, herein after called the City, party of the first part, by the Mayor of said City, acting for and in the name of said City, and in pursuance of the authority of the Board of Estimate and Apportionment of said City (hereinafter called the Board), and the United Electric Service Company, a domestic corporation of the State of New York (hereinafter called the Company), party of the second part; witnesseth:

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

Section 1. The City hereby grants to the Company, subject to the conditions and provisions herein set forth, the right and privilege to lay, construct, maintain and operate such wires or other electrical conductors in conduits under the streets, avenues and highways within the territory comprised in the Borough of Manhattan, for the purpose of connecting by means of such wires, call boxes, or other signalling apparatus, to be placed upon the premises of the subscribers, with offices of the Company, and thereby maintaining and operating an electrical signal system for the calling of messengers, an electrical burglar alarm system and a fire alarm system, and for no other purpose whatsoever.

See. 2. The grant of this privilege is subject to the following conditions:

First.—The rights, privileges and authority herein granted shall not be construed to in any way give the Company the right, privilege or authority to engage in a telephone business, or to render telephone service, and this contract is entered into on the mutual and express understanding and agreement by and between the parties hereto, that the Company will not in any way engage in a telephone business or render telephone service, or claim the right so to do under this contract and the rights, privileges and authority herein and thereby granted and contained.

Second.—The said right and privilege to lay, construct, maintain and operate wires or other electrical conductors in conduits for the purpose aforesaid shall be held and enjoyed by the Company, its successors or assigns, for the term of fifteen (15) years from the date when this contract is signed by the Mayor, with the privilege of renewal of said contract for a further period of ten (10) years upon a fair revaluation of said right and privilege.

If the Company shall determine to exercise its privilege of renewal it shall make application to the Board or any authority which shall be authorized by law to act for the City in place of the Board. Such application shall be made at any time not earlier than two years and not later than one year before the expiration of the original term of this contract. The determination of the revaluation shall be sufficient if agreed to in writing by the Company and the Board, but in no case shall the annual rate of compensation to the City be fixed at a less amount than that sum required to be paid during the year prior to the termination of the original term of this contract. If the Company and the Board shall not reach such agreement on or before the day one year before the expiration of the original term of this contract, then the annual rate of compensation for such succeeding ten (10) years shall be reasonable, and either the City (by the Board) or the Company shall be bound, upon request of the other, to enter into a written agreement with each other, fixing the rate of such compensation at such amount as shall be reasonable, but in no case shall the annual rate be fixed by less than the sum required to be paid for the last year prior to the termination of the original term of this contract, and if the parties shall not forthwith agree upon what is reasonable, then the parties shall enter into a written agreement, fixing such annual rate at such amount as shall be determined by three disinterested freeholders, selected in the following manner:

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

Third.—Upon the termination of this original contract or if the same be renewed then at the termination of the said renewal term, or upon the termination of the rights hereby granted for any other cause, or upon the dissolution of the Company before such termination, the plant and property of the Company used for maintaining and operating an electrical signal system for the calling of messengers, an electrical burglar alarm system, and a fire alarm system within the streets and highways of the City shall become the property of the City without cost, and the same may be used by the City for any purpose whatsoever. If, however, at the termination of this grant, as above, the City, by the Board, shall so order by resolution, the Company shall on thirty (30) days' notice from the Board remove any and all of its wires, or other electrical conductors, or any portion thereof, from any or all of the streets and public places within the limits of the City.

Fourth.—The Company shall pay to the City for the said privilege, the following sums of money:

The sum of five thousand dollars (\$5,000) in cash within thirty (30) days after the date on which this contract is signed by the Mayor.
During the first five years of this contract an annual sum, which shall in no case be less than twelve hundred dollars (\$1,200), and shall be equal to two (2) per cent. of the gross receipts of the Company, if such percentage shall exceed the sum of two thousand five hundred dollars (\$2,500).
During the remaining five years of this contract an annual sum which shall in no case be less than two thousand five hundred dollars (\$2,500), and shall be equal to three (3) per cent. of the gross receipts of the Company, if such percentage shall exceed the sum of two thousand five hundred dollars (\$2,500).
The minimum annual sum herein provided for shall be paid to the Comptroller of the City in equal quarterly payments in advance on the first days of January, April, July and October of each year. Whatever the percentage required to be paid shall exceed the minimum amount, such sum over and above such minimum shall be paid to the Comptroller on or before December 1 in each year for the year ending September 30 next preceding.

Fifth.—The said annual charges or payments, as above specified, shall continue throughout the whole term of the original contract, notwithstanding any clause in any statute or in the charter of any other company providing for payments for similar rights or franchises at a different rate, and no assignment, lease or sublease of the rights or franchises hereby granted, or any part thereof, shall be valid or effectual for any purpose unless the said assignment, lease or sublease shall contain a covenant on the part of the assignee or lessee that the same is subject to all the conditions of this contract, and that the assignee or lessee assumes and will be bound by all of said conditions as to payments, any statute or any condition herein contained to the contrary notwithstanding, and that the

said assignee or lessee waives any more favorable conditions created by said statute or its charter, and that it will not claim by reason thereof, or otherwise, exemption from liability to perform each and all of the conditions of this contract. Nothing herein contained shall apply to any mortgagee or mere licensor, but shall apply to any purchaser upon foreclosure or under or by virtue of any provision of a mortgage or

the cost of such repairs, with legal interest thereon, all of which sums may be deducted from the fund hereinafter provided.

It, for a period of three consecutive months the messenger, fire alarm or burglar alarm systems of the Company shall not be operated, or if the same shall not be operated for a period of six months out of any consecutive twelve months, the Board may declare the right and franchise and this contract terminated without further proceedings in law or in equity.

Eighteenth.—The Company shall at all times keep accurate books of accounts and shall, on or before November 1 in each year, make a verified report to the Comptroller of the City of the business done by the Company for the year ending September 30 next preceding. Such report shall contain a statement of the gross receipts received from the operation of the systems hereby authorized, from all subscribers served by the Company, together with such other information and in such form and detail as the Comptroller may require. The Comptroller shall have access to all books of the Company for the purpose of ascertaining the correctness of its report and may examine its officers under oath.

Nineteenth.—The Company shall submit a report to the Board not later than November 1 of each year, for the year ending September 30 next preceding, which shall state:

1. The amount of stock issued, for cash, for property;

2. The amount paid in as by last report;

3. The total amount of capital stock paid in;

4. The funded debt by last report;

5. The total amount of funded debt;

6. The floating debt as by last report;

7. The amount of floating debt;

8. The total amount of funded and floating debt;

9. The average rate per annum of interest on funded debt;

10. The amount of dividends paid during the year and the rate of same;

11. The amount paid for damage to persons or property on account of construction and operation;

12. The total income during the year, giving the amount from each class of business;

13. The total expenses for operation, including salaries;

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

For failure to comply with the foregoing the Company shall pay a penalty of one hundred dollars (\$100) per day until such statement is rendered, which may be collected by the Comptroller without notice.

Twenty-first.—This grant is upon the express condition that the Company, within thirty (30) days after the execution of this contract, and before anything is done in exercise of the rights conferred thereby, shall deposit with the Comptroller of the City the sum of five thousand dollars (\$5,000), either in money or securities to be approved by him, which fund shall be security for the performance by the Company of the terms and conditions of the contract, especially those which relate to the payment of the annual charge for the franchise granted, in default of which payment of the annual charge the Comptroller, acting in behalf of the City, shall collect same with interest from such fund after five days' notice in writing to the Company. In case of failure of the Company to comply with the terms of this contract relating to the filing of annual statements and the commencement and increase of construction, or its neglect or refusal to comply with any demand or direction of the Board or other municipal officials made pursuant to the terms of the contract, or under the authority of any laws or ordinances now or hereafter in force, in such case and in any of these events the Company shall pay to the Comptroller of the City a penalty of \$1,000 for each violation, and in case of any violation of the provisions relating to the illegal use of wires, the Company shall pay to the Comptroller of said City for each violation a penalty of not less than \$100, and not more than \$500, to be paid by the said Comptroller.

The procedure for the imposition and collection of the penalties provided in the grant shall be as follows:

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

In case of any draft made upon the security fund the Company shall, upon ten days' notice in writing, pay to the Comptroller of the City, a sum sufficient to restore said security fund to the original amount of \$5,000, and in default thereof the contract may be revoked at the option of the Board, acting in behalf of the City. No action or proceeding at law under the provisions of the grant shall affect any other legal rights, remedies or causes of action belonging to the City.

The bidder will state a price per hundred pounds for furnishing and delivering the iron called for in the class of the contract on which a bid is submitted, by which price the bids will be made and awards. If made, will be made to the lowest bidder in each class, according to such price per hundred pounds. Each class of the contract will be awarded as a separate contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the said Department.

ALLEN N. SPOONER, Commissioner.

Dated May 28, 1909.

hereunto signed and its corporate seal to be hereunto affixed, the day and year first above written.

THE CITY OF NEW YORK,

By..... Mayor.

[CORPORATE SEAL]

Attest:

City Clerk.

UNITED ELECTRIC SERVICE COMPANY,

By..... President.

[SEAL]

Attest:

Secretary.

[Here add acknowledgments.]

Resolved, That the results of the inquiry made by this Board as to the money value of the franchise or right proposed to be granted and the adequacy of the compensation proposed to be paid therefor, and of the terms and conditions, including the provision as to rates, fares and charges, are as hereinbefore specified and fully set forth in and by the foregoing form of proposed contract for the grant of such franchise or right.

Resolved, That these premises and resolutions including the said resolution for the grant of a franchise or right applied for by the United Electric Service Company, and the said form of proposed contract for the grant of such franchise or right containing said results of such inquiry, after the same shall be entered in the minutes of this Board, shall be published for at least twenty (20) days immediately prior to Friday, June 12, 1909, in the City Record, and at least twice during the ten (10) days immediately prior to Friday, June 11, 1909, in two daily newspapers to be designated by the Mayor therefor and published in the City of New York, at the expense of the United Electric Service Company, together with the following notice, to wit:

Notice is hereby given that the Board of Estimate and Apportionment, before authorizing any contract for the grant of the franchise or right applied for by the United Electric Service Company, and fully set forth and described in the foregoing form of proposed contract for the grant of such franchise or right, and before adopting any resolution authorizing any such contract, will, at a meeting of said Board, to be held in the Old Council Chamber, City Hall, Borough of Manhattan, City of New York, on Friday, June 11, 1909, at 10:30 o'clock a. m., hold a public hearing thereon, at which citizens shall be entitled to appear and be heard.

"New York Tribune" and "New York Sun" designated.)

JOSEPH HAAG, Secretary.

Dated New York, April 10, 1909.

m17.11

DEPARTMENT OF DOCKS AND FERRIES.

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE COMMISSIONER OF DOCKS AT THE ABOVE OFFICE UNTIL 12 NOON, M. S. ON

FRIDAY, JUNE 11, 1909.

CONTRACT NO. 185.
FOR FURNISHING AND DELIVERING ICE.

The time for the completion of the work and the full performance of the contract and the amount of security required are as follows:

Class 1, April 29, 1909, security....	\$1,000.00
Class 2, October 31, 1909, security....	300.00
Class 3, October 31, 1909, security....	75.00

The bidder will state a price per hundred pounds for furnishing and delivering the ice called for in the class of the contract on which a bid is submitted, by which price the bids will be made and awards. If made, will be made to the lowest bidder in each class, according to such price per hundred pounds. Each class of the contract will be awarded as a separate contract.

Delivery will be required to be made at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the said Department.

ALLEN N. SPOONER, Commissioner.

Dated May 28, 1909.

m29.11

SEE GENERAL INSTRUCTIONS TO BIDDERS ON THE LAST PAGE, LAST COLUMN, OF THE "CITY RECORD."

DEPARTMENT OF DOCKS AND FERRIES, PIER "A," FOOT OF BATTERY PLACE, NORTH RIVER, BOROUGH OF MANHATTAN, THE CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE COMMISSIONER OF DOCKS AT THE ABOVE OFFICE UNTIL 12 NOON, M. S. ON

MONDAY, JUNE 7, 1909.

CONTRACT NO. 186.
FOR FURNISHING ALL THE LABOR AND MATERIALS REQUIRED FOR REPAIRING THE MUNICIPAL FERRYBOATS OR OTHER FLOATING FERRY PROPERTY AND FURNISHING AND DELIVERING SUPPLIES THEREFOR.

The time for the completion of the work and the full performance of the contract is on or before the expiration of three hundred and sixty-five (365) calendar days.

The amount of security required is Twenty-five Thousand Dollars (\$25,000).

The bidder will state the price for each class contained in the specifications or schedules, per pound, foot or other unit of measure. The extensions must be made and footed up, and the bid must state a total or aggregate price for all of the work. The bids will be tested by the aggregate price, and award of the contract, if made, will be made to the lowest bidder, according to such aggregate price.

Work must be done at the time and in the manner and in such quantities as may be directed.

Blank forms and further information may be obtained at the office of the said Department.

ALLEN N. SPOONER, Commissioner of Docks.

Dated May 24, 1909.

m25.7

SEE GENERAL INSTRUCTIONS TO BIDDERS ON THE LAST PAGE, LAST COLUMN, OF THE "CITY RECORD."

SALE OF OLD MATERIAL.

JOSEPH P. DAY, AUCTIONEER, WILL SELL, ON BEHALF OF THE DEPARTMENT OF DOCKS AND FERRIES, ON

JUNE 7 AND 8, 1909,

COMMENCING AT 10:30 o'clock a. m. on June 7, 1909, at the Department Yard, foot of West Eighth street, North River, and continuing at the Timber Basin, foot of West Seventy-fifth street, North River; at the Department Yard, foot of West Fifty-fourth street, North River; at Pier "A," North River; at the Ferry Terminal, George, Borough of Richmond; at the Ferry Terminal, Thirty-ninth street, Borough of

Brooklyn; at the dry dock of James Stewart & Sons, foot of East Houston street, East River; at the Wallabout Basin, Borough of Brooklyn, and at East Twenty-fourth street, East River, the following lots of old material:

At Department Yard, Foot of West Eightieth Street.

Lot No. 1—One horizontal return tubular boiler, 72 inches diameter, about 18 feet long.

Lot No. 2—One old J. P. Allen duplex air compressor.

Lot No. 3—One old air receiver tank, 22 inches diameter by about 9 feet long.

Lot No. 4—Two Worthington duplex steam pumps, with cylinders about 3½ inches by 4½ inches by 5 inches.

Lot No. 5—About 10 tons of old scrap iron.

Lot No. 6—One lot of slate, 33 pieces, sizes varying from 16 inches by 36 inches by 1 inch thick to 29 inches by 60 inches by 2 inches thick.

Lot No. 7—Two cast iron cylinders, filled with concrete; size, 14 inches by 18 inches by 6 feet long.

Lot No. 8—Two lengths of 10-inch rubber suction hose, each about 9 feet long.

Lot No. 9—A pile of old tin in sheets, varying from very small sizes up to 2 feet by 3 feet; the contents of this pile about 10 feet long by 12 feet by 4 feet high, or about 1,900 cubic feet, including the voids.

At Tether Basin, Foot of West Seventy-fifth Street.

Lot No. 10—One 3 by 18 feet plank, rafted, 23 by 25 feet square, 4 courses, and about 1 foot deep; in very poor condition.

Lot No. 11—Forty-three pairs of knee rubber boots and nine pairs of hip rubber boots, unfit for Department use.

At Department Yard, Foot of West Fifty-seventh Street.

Lot No. 12—About 150 pairs of old rubber boots.

Lot No. 13—About 2,500 pounds of old rope.

At Pier "A," North River.

Lot No. 14—One lot of old rubber, consisting of thirteen auto tires and eight inner tubes.

At Ferry Terminal, St. George, Borough of Richmond.

Lot No. 15—Fifteen tons of old boiler tubes.

Lot No. 16—Six tons of asphalt scrap.

Lot No. 17—Six tons of old sheet iron.

At Ferry Terminal, Thirty-ninth Street, Borough of Brooklyn.

Lot No. 18—One Davidson pump, 6 by 7 by 9 feet.

Lot No. 19—One steam end of Blake pump, 15 inches by 24 inches, with two double acting pumps, 4 inches by 24 inches, and with framework.

Lot No. 20—One air pump end, 20 inches by 24 inches, with compression lining.

Lot No. 21—One circulating pump end, 28 inches by 24 inches, with compression lining.

Lot No. 22—One casting valve part for above pump, with bonnet and casting base.

Lot No. 23—Two portions of cast-iron hot well box, weight about 800 pounds each.

Lot No. 24—Two old wrought-iron tanks, about 2 feet by 4 feet by 4½ feet.

Lot No. 25—Four old gas-coop castings, about 200 pounds each.

Lot No. 26—Four circular steel hatch frames, cast iron.

Lot No. 27—One cast-iron hot water strainer, 10 inches square.

Lot No. 28—One cast-iron air chamber, for circulating pump, section, weight about 400 pounds.

Lot No. 29—About 14 ton sheet and angle iron scrap.

Lot No. 30—One small lot electrical pipe casting.

Lot No. 31—One small lot 7½-inch and 1-inch iron pipe.

Lot No. 32—One Davidson pump by 5-inch by 10-inch pump.

Lot No. 33—About 400 feet old wire cable.

Lot No. 34—About 600 pounds scrap iron.

Lot No. 35—Four oak doors.

Lot No. 36—Six carved oak sashes.

Lot No. 37—Six oak screens.

Lot No. 38—About 25 old oak veneer seats and oak framework.

Lot No. 39—About 46 chandelier brackets for electric lights.

At the Drydock of James Stewart & Sons, Foot of East Houston Street, Manhattan.

Lot No. 40—About seven tons of scrap iron.

At the Wallabout Basin, Borough of Brooklyn.

Lot No. 41—Raft of 4-inch by 10-inch yellow pine, six courses deep, 25 feet by 25 feet.

Lot No. 42—Three-inch by 10-inch yellow pine, seven courses deep, 25 feet by 25 feet.

Lot No. 43—Twelve-inch by 12-inch yellow pine, and 4-inch by 10-inch yellow pine, 2 feet 4 inches deep, 22 feet by 24 feet.

Lot No. 44—Four-inch by 10-inch yellow pine, seven courses deep, 25 feet by 25 feet.

Lot No. 45—Twelve-inch by 12-inch yellow pine, five courses deep, 22 feet by 25 feet.

Lot No. 46—Thirteen-inch by 10-inch yellow pine, twelve courses deep, 25 feet by 25 feet.

Lot No. 47—Twelve-inch by 12-inch, 5-inch by 10-inch, 3-inch by 10-inch, 10 yellow pine piles, about 20 feet; 1 oak pile, about 25 feet; raft, 5 feet deep, 25 feet by 20 feet.

Lot No. 48—Raft of 12-inch by 12-inch, 5-inch by 10-inch, 3-inch by 10-inch, 10 yellow pine piles, 4 feet deep, 21 feet by 25 feet.

Lot No. 49—Twelve-inch by 12-inch, 5-inch by 10-inch, 3-inch by 10-inch, 10 yellow pine piles, 4 feet deep, 21 feet by 25 feet.

Lot No. 50—Twelve-inch by 12-inch, 5-inch by 10-inch, 3-inch by 10-inch, 10 yellow pine piles, about 20 feet; 1 oak pile, about 25 feet; raft, 5 feet deep, 25 feet by 20 feet.

Lot No. 51—Raft of 25 spruce piles, 25 to 40 feet long.

Lot No. 52—Raft of piles, 10 to 25 feet long; size of raft, 25 feet by 25 feet; one course deep.

Lot No. 53—Raft of 12-inch by 12-inch, 4-inch by 10-inch, 5-inch by 10-inch, 10 yellow pine piles; raft about 3 feet deep, 25 feet by 25 feet.

Lot No. 54—Raft of yellow pine timber, 4-inch by 10-inch, eight courses deep, 25 feet by 20 feet.

Lot No. 55—Raft of 21 spruce mold boards, 25 square inches in each; 10 spruce mold boards, about 2 feet by 8 feet.

Lot No. 56—Catacamar J. 78 pile boats, 20 feet to 22 feet long; 37 pile boats, 14 feet to 22 feet; 3 piles, 32 feet to 46 feet long.

Lot No. 57—Raft of 4-inch by 10-inch yellow pine, eleven courses deep, 25 feet by 30 feet.

Lot No. 58—Raft of 12-inch by 12-inch yellow pine, 770 linear feet; 6-inch by 12-inch yellow pine, 130 linear feet; 4-inch by 10-inch yellow pine, 305 linear feet; 9 spruce piles, 20 feet and up.

Lot No. 59—10-inch by 12-inch yellow pine, 400 linear feet; 6-inch by 10-inch and 4-inch by 10-inch yellow pine, 1,000 linear feet; 22 yellow pine piles, 25 feet and up.

Lot No. 60—42-inch by 10-inch yellow pine, 2 feet deep, 22 feet by 25 feet.

Lot No. 61—12-inch by 12-inch yellow pine, 2 courses deep, 20 feet by 30 feet.

At East Twenty-fourth Street Yard.

Lot No. 62—1,000 pounds scrap iron, including cast iron, wrought iron, wire, etc.

Lot No. 63—2,000 paving blocks (large).

Lot No. 64—2 blacksmith's bellows.

Lot No. 65—275 feet of 1½-inch hose, 75 pairs old rubber boots, 15 diving dresses.

Terms of Sale.

The sale will commence at 10:30 o'clock a. m. on Monday, June 7, 1909, and all of the property will be sold on the day, if possible. If it be impracticable to complete the sale on the one day the sale will be continued and completed on Tuesday, June 8, 1909.

Each of the above lots will be sold separately and for a sum in gross.

The estimated quantities stated to be in the several lots are believed to be correct, but the Commissioners of Docks will not make any allowance from the purchase money for short deliveries on any lot, and bidders must judge for themselves as to the correctness of the estimate of quantity when making their bids.

If the purchaser or purchasers fail to effect removal of the material within ten days from the date of sale, be it known that they shall forfeit their or their purchase money or moneys and the ownership of the material.

Terms of sale to be cash, to be paid at the time of sale.

An order will be given for the material purchased.

Dated The City of New York, May 21, 1909.

ALLEN N. SPOONER, Commissioner,

m22.18

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, COMMISSIONER'S OFFICE, NO. 13 TO 21 PARK ROW, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE COMMISSIONER OF WATER SUPPLY, GAS AND ELECTRICITY AT THE ABOVE OFFICE UNTIL 2 o'clock p. m. on

MONDAY, JUNE 7, 1909.

FOR FURNISHING AND MAINTAINING ELECTRIC LAMPS FOR LIGHTING STREETS, AVENUES, PARKS AND PUBLIC PLACES, FROM JUNE 7, 1909, TO DECEMBER 31, 1909, BOTH INCLUSIVE.

FOR LIGHTING STREETS, AVENUES, PARKS AND PUBLIC PLACES IN THE CITY OF NEW YORK, BOROUGH OF MANHATTAN.

THE AMOUNT OF THE SECURITY REQUIRED IS TWENTY-FIVE PER CENT. (25%) OF THE AMOUNT OF THE BID OR ESTIMATE.

THE BIDDER WILL STATE THE PRICE OF EACH ITEM OR ARTICLE CONTAINED IN THE SPECIFICATIONS OR SCHEDULES, PER LINE OR OTHER UNIT OF MEASURE, BY WHICH THE BID IS TO BE MADE.

BLANK FORMS MAY BE OBTAINED AT THE OFFICE OF THE COMMISSIONER, ROOM 319.

JOHN H. O'BRIEN, Commissioner.

m26.17

See General Instructions to Bidders on the last page, last column, of the "City Record."

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY, COMMISSIONER'S OFFICE, NO. 13 TO 21 PARK ROW, CITY OF NEW YORK.

SEALED BIDS OR ESTIMATES WILL BE RECEIVED BY THE COMMISSIONER OF WATER SUPPLY, GAS AND ELECTRICITY AT THE ABOVE OFFICE UNTIL 2 o'clock p. m. on

WEDNESDAY, JUNE 2, 1909,

BOROUGHS OF MANHATTAN AND THE BRONX.

FOR FURNISHING, DELIVERING AND STORING 4,000 GROSS TONS OF PEA SIZE ANTHRACITE COAL, 500 GROSS TONS OF NO. 1 BUCKWHEAT SIZE ANTHRACITE COAL.

THE TIME ALLOWED FOR THE DELIVERY OF THE ARTICLES, MATERIALS AND SUPPLIES AND THE PERFORMANCE OF THE CONTRACT IS ONE HUNDRED (100) CALENDAR DAYS.

THE AMOUNT OF SECURITY REQUIRED WILL BE FIVE THOUSAND DOLLARS (\$5,000).

THE BIDDER WILL STATE THE PRICE, PER UNIT, OF EACH ITEM OF WORK OR SUPPLIES CONTAINED IN THE SPECIFICATIONS OR SCHEDULES, BY WHICH THE BIDS WILL BE MADE.

THE BIDS WILL BE COMPARED AND THE CONTRACT AWARDED FOR ALL THE WORK, ARTICLES, MATERIALS AND SUPPLIES CONTAINED IN THE SPECIFICATIONS OR SCHEDULES.

BIDDERS ARE REQUESTED TO MAKE THEIR BIDS OR ESTIMATES UPON THE BLANK FORM PREPARED BY THE DEPARTMENT, A COPY OF WHICH IS TO INCLOSE THE BID, TOGETHER WITH A COPY OF THE CONTRACT, INCLUDING THE SPECIFICATIONS, IN THE FORM APPROVED BY THE CORPORATION COUNSEL, AND ANY FURTHER INFORMATION, MAY BE OBTAINED UPON APPLICATION THEREFOR AT THE OFFICE OF THE DEPARTMENT, BUREAU OF CHIEF ENGINEER, ROOM 322, NO. 21 PARK ROW.

FOR THE FURNISHING, DELIVERING AND LAYING HIGH PRESSURE FIRE SERVICE MAINS AND APPURTENANCES IN ALLEN, BAYARD, CANAL, CHERRY, CHRISTIE STREETS, ETC., ALL IN THE DISTRICT INCLUDED BETWEEN HOUSTON STREET, BOWERY, JAMES STREET AND THE EAST RIVER.

THE TIME ALLOWED FOR DOING AND COMPLETING THE WORK WILL BE TWO HUNDRED AND FIFTY (250) WORKING DAYS.

THE SECURITY REQUIRED WILL BE TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000).

THE BIDDER WILL STATE THE PRICE, PER UNIT, OF EACH ITEM OF WORK OR SUPPLIES CONTAINED IN THE SPECIFICATIONS OR SCHEDULES, BY WHICH THE BIDS WILL BE MADE.

THE BIDS WILL BE COMPARED AND THE CONTRACT AWARDED FOR ALL THE WORK, ARTICLES, MATERIALS AND SUPPLIES CONTAINED IN THE SPECIFICATIONS OR SCHEDULES.

BIDDERS ARE PARTICULARLY CAUTIONED THAT A PROVISION IN THE CONTRACT REQUIRES THE MAINTENANCE OF THE PIPES, JOINTS, VALVES, CONNECTIONS, PUMPS, ETC., IN GOOD CONDITION FOR THE PERIOD OF ONE YEAR FROM THE FINAL COMPLETION AND ACCEPTANCE OF THE WORK.

BIDDERS ARE REQUESTED TO MAKE THEIR BIDS OR ESTIMATES UPON THE BLANK FORM PREPARED BY THE

DEPARTMENT, A COPY OF WHICH, WITH THE PROPER ENVELOPE IN WHICH TO INCLOSE THE BID, TOGETHER WITH A COPY OF THE CONTRACT, INCLUDING THE SPECIFICATIONS, IN THE FORM APPROVED BY THE CORPORATION COUNSEL, AND ANY FURTHER INFORMATION, MAY BE OBTAINED UPON APPLICATION THEREFOR AT THE OFFICE OF THE DEPARTMENT, BUREAU OF CHIEF ENGINEER, ROOM 322, NO. 21 PARK ROW.

FOR THE OPENING AND EXTENDING OF KNOX PLACE, FROM Meshalls Parkway North to Gun Hill road, and GATES PLACE, from Meshalls Parkway North to Gun Hill road, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE final reports of the Commissioners of Estimate and of the Commissioner of Assessment in the above-entitled matter will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part III., to be held in the County Court House in the Borough of Manhattan in the City of New York, on the 8th day of June, 1909, at 10:30 o'clock in the forenoon of that day; and that the said final reports have been deposited in the Office of the Clerk of the County of New York, there to remain for and during the space of five days, as required by law.

DATED BOROUGH OF MANHATTAN, NEW YORK, MAY 28, 1909.

RODERICK J. KENNEDY,

JOHN COLLERAN,

R. J. BARRY,

Commissioners of Estimate.

JOHN COLLERAN,

Commissioner of Assessment.

JOHN P. DUNN, Clerk.

m28.14

FIRST DEPARTMENT.

IN THE MATTER OF THE APPLICATION OF THE CITY OF NEW YORK, RELATIVE TO ACQUIRING TITLE, WHEREVER THE SAME HAS NOT BEEN HERETOFORE ACQUIRED FOR THE SAME PURPOSE, IN FEW, TO THE LANDS, TENEMENTS AND HEREDITAMENTS REQUIRED FOR THE OPENING AND EXTENDING OF WEST ONE HUNDRED AND SEVENTY-SIXTH STREET (ALTHOUGH NOT YET NAMED BY PROPER AUTHORITY), FROM AMSTERDAM AVENUE TO ST. NICHOLAS AVENUE, IN THE TWELFTH WARD, BOROUGH OF MANHATTAN, CITY OF NEW YORK.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in the City of New York, on the 14th day of June, 1909, at 10:30 o'clock in the forenoon of that day; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title wherever the same has not been heretofore acquired for the same purpose in fee, to the lands, tenements and hereditaments required for the opening and extending of CASTLE HILL AVENUE, from West Farms road to the public place at its southern terminus, and the PUBLIC PLACE at the southern terminus of Castle Hill avenue, Ironing on Westchester Creek, the East River and Pugsley's Creek, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House, in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 27, 1909.

TIMOTHY F. DRISCOLL,
GEORGE W. KEARNEY,
CHARLES KNIGHT,
Commissioners of Estimate.

JOHN P. DUNN, Clerk.

m27.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of that portion of NORTHERN AVENUE (although not yet named by proper authority) not heretofore acquired, and located between a line about 700 feet north of West One Hundred and Eighty-first street and Fort Washington avenue, in the Twelfth Ward, Borough of Manhattan, City of New York, shown on a plan approved by the Board of Estimate and Apportionment on December 13, 1903.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon; and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by the provisions of section 599 of the Greater New York Charter, as amended by chapter 406 of the Laws of 1901.

Dated Borough of Manhattan, New York, May 26, 1909.

CHARLES W. DAYTON, JR.,
SAM'L SANDERS,
Commissioners.

JOHN P. DUNN, Clerk.

m26.17

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to WEST TWO HUNDRED AND TWELFTH STREET (although not yet named by proper authority), from Kingsbridge road to Harlem River, in the Twelfth Ward, Borough of Manhattan, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First—That we have completed our supplemental and amended estimate and assessment, and that all persons interested in this proceeding, and in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, on or before the 15th day of June, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 17th day of June, 1909, at 4 o'clock p.m.

Second—That the abstracts of our said supplemental and amended estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in said City, there to remain until the 24th day of June, 1909.

Third—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situated, lying and being in the Borough of Manhattan in The City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at a point formed by the intersection of the northwesterly prolongation of the middle line of the blocks between West Two Hundred and Eleventh street and West Two Hundred and Twelfth street with a line parallel to and 100 feet northwesterly from the northwesterly line of Broadway (Kingsbridge road); running thence northeasterly along said parallel line to its intersection with the northwesterly prolongation of the middle line of the blocks between West Two Hundred and Twelfth street and West Two Hundred and Thirteenth street; thence southeasterly along said prolongation and middle line and its southwesterly prolongation to its intersection with the pierhead and bulkhead line of the Harlem River; thence southwesterly along said pierhead and bulkhead line to its intersection with the southwesterly prolongation of the middle line of the blocks between West Two Hundred and Eleventh street and West Two Hundred and Twelfth street; thence northerly along said prolongation and middle line to the point or place of beginning, excepting from said area all streets, avenues and roads or portions thereof heretofore legally opened as such area is shown upon our benefit maps deposited as aforesaid.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening and extending the said street or avenue and affected thereby, and having any claim or demand on account thereof, are hereby required to present the same duly verified to us, the undersigned Commissioners of Estimate, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, with such affidavit or other proof as the owners or claimants may desire, within ten days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 10th day of June, 1909, at 3 o'clock in the afternoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The City of New York.

Dated Borough of Manhattan, City of New York, May 21, 1909.

JAMES A. DONNELLY,
JOHN J. HYNES,
J. C. JULIUS LANGBEIN,
Commissioners.

JOHN P. DUNN, Clerk.

m23.13

FIRST DEPARTMENT.

Fourth—That, provided there be no objections filed to either of said abstracts, our supplemental and amended final report herein will be presented for confirmation to the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held in the County Court House, in the Borough of Manhattan, in The City of New York, on the 21st day of September, 1909, at the opening of the Court on that day.

Fifth—In case, however, objections are filed to either of said abstracts of estimate and assessment, the notice of motion to confirm our supplemental and amended final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the City Record, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, May 21, 1909.

HAROLD NATHAN, Chairman;
JOHN J. RYAN,
PETER H. GARLAND,
Commissioners.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the northerly side of TWENTIETH STREET and the southerly side of TWENTY-FIRST STREET, between Eighth and Ninth avenues, in the Borough of Manhattan, in The City of New York, duly selected as a site for school purposes according to law.

NOTICE IS HEREBY GIVEN THAT THE report of Edmund Blumenthal and Edward W. Fox, Commissioners of Estimate and Appraisal, duly appointed in the above entitled proceeding, which report bears date the 7th day of April, 1909, was filed in the office of the Board of Education on the 21st day of April, 1909, and a duplicate of said report was filed in the office of the Clerk of the County of New York on the same day.

Notice is further given that the said report will be presented for confirmation to the Supreme Court of the State of New York, in the First Judicial District, at Special Term, Part III, thereof, to be held at the County Court House in the Borough of Manhattan in The City of New York, on the 14th day of June, 1909, at the opening of the Court on that day, and that then and there, or as soon thereafter as counsel can be heard thereon, a motion will be made that said report be confirmed.

Dated New York, May 14, 1909.

ALBERT L. SISK,
Attorney for Edith S. Jacobs, an owner,
No. 99 Nassau Street, Manhattan,
New York City.

m22.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of BUSH STREET, from Creston avenue in Grand Boulevard and Concourse, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT, BY an order of the Supreme Court, bearing date the 27th day of April, 1909, and duly entered in the office of the Clerk of the County of Manhattan in The City of New York, on the 28th day of April, 1909, a copy of which order was duly filed in the office of the Register of the County of New York, we, James A. Donnelly, J. C. Julius Langbein and John J. Hynes, were appointed Commissioners of Estimate for the purpose of making a just and equitable estimate and assessment of the loss and damage to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises required for the purpose by and in consequence of opening and extending the above mentioned street or avenue, the same being particularly set forth and described in the petition of The City of New York, and also in the notice of the application for the said order thereto attached, filed herein in the office of the Clerk of the County of New York on the 28th day of April, 1909, and the said James A. Donnelly was appointed Commissioner of Assessment for the purpose of making a just and equitable estimate and assessment of the value of the benefit and advantage of the said street or avenue so to be opened and extended, to the respective owners, lessees, parties and persons respectively entitled unto or interested in the respective lands, tenements, hereditaments and premises situated within the area of assessment adopted by the Board of Estimate and Apportionment and not required for the purpose of opening and extending the same, but benefited thereby, the said area of assessment being particularly set forth and described in the petition of The City of New York, and also in the notice of the application for the said order thereto attached, filed herein in the office of the Clerk of the County of New York on the 28th day of April, 1909, and of ascertaining and defining the extent and boundaries of the respective tracts or parcels of land to be taken or to be assessed, therefore, and of performing the trusts and duties required of us by chapter 17, title 4 of the Greater New York Charter, as amended, and the acts or parts of acts supplementary thereto or amendatory thereof.

All parties and persons interested in the real estate taken or to be taken for the purpose of opening and extending the said street or avenue and affected thereby, and having any claim or demand on account thereof, are hereby required to present the same duly verified to us, the undersigned Commissioners of Estimate, at our office, ninth floor, Nos. 90 and 92 West Broadway, in the Borough of Manhattan, in The City of New York, with such affidavit or other proof as the owners or claimants may desire, within ten days after the date of this notice.

And we, the said Commissioners, will be in attendance at our said office on the 10th day of June, 1909, at 3 o'clock in the afternoon of that day, to hear the said parties and persons in relation thereto, and at such time and place, and at such further or other time and place as we may appoint, we will hear such owners in relation thereto and examine the proofs of such claimant or claimants, or such additional proofs and allegations as may then be offered by such owner, or on behalf of The City of New York.

Dated Borough of Manhattan, City of New York, May 21, 1909.

JAMES A. DONNELLY,
JOHN J. HYNES,
J. C. JULIUS LANGBEIN,
Commissioners.

JOHN P. DUNN, Clerk.

m23.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired for the same purpose in fee, to the lands, tenements and hereditaments required for the widening of FREEMAN AVENUE (although not yet named by proper authority), from Stebbins avenue to intervals avenue, in the Twenty-third Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 1909.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the northerly side of TWENTIETH STREET and the southerly side of TWENTY-FIRST STREET, between Eighth and Ninth avenues, in the Borough of Manhattan, in The City of New York, duly selected as a site for school purposes according to law.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 1909.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to WEST TWO HUNDRED AND ELEVENTH STREET (although not yet named by proper authority), from Kingsbridge road to Harlem River, in the Twelfth Ward, Borough of Manhattan, in The City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 1909.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, in fee, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of EAST TWO HUNDRED AND TWENTY-SECOND STREET, formerly Eighth street, an avenue (although not yet named by proper authority), from Kingsbridge road to Harlem River in Seventh street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 1909.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of BURNETT PLACE, from Garrison avenue to Tiffany street, in the Twenty-third Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 1909.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands, tenements and hereditaments required for the opening and extending of WESTCHESTER AVENUE (although not yet named by proper authority), from the Bronx River to Main street, in the Twenty-fourth Ward, Borough of The Bronx, City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 1909.

JOHN P. DUNN, Clerk.

m24.13

FIRST DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the construction of the BORDEN AVENUE BRIDGE over Dutch Kills, in the Borough of Queens, City of New York.

NOTICE IS HEREBY GIVEN THAT THE bill of costs, charges and expenses incurred by reason of the proceedings in the above-entitled matter, up to and including May 13, 1909, will be presented for taxation to one of the Justices of the Supreme Court of the State of New York, First Department, at a Special Term thereof, Part I., to be held at the County Court House in the Borough of Manhattan, in The City of New York, on the 14th day of June, 1909, at 10:30 o'clock in forenoon of that day, or as soon thereafter as counsel can be heard thereon, and that the said bill of costs, charges and expenses has been deposited in the office of the Clerk of the County of New York, there to remain for and during the space of ten days, as required by law.

Dated Borough of Manhattan, New York, May 21, 190

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Appraisal in the above-entitled proceeding, do hereby give notice to the owner or owners, lessee or lessees, parties or persons respectively entitled to or interested in the lands, tenements, hereditaments and premises to which it is sought to be acquired in this proceeding, and to all others whom it may concern, to wit:

First.—That we have completed our estimate of the loss and damage to the respective owners, lessors, parties or persons respectively entitled to or interested in the lands and premises stated by this proceeding, or having any interest therein, and have filed a true report or transcript of such estimate in the office of the Board of Estimate and Assessment of The City of New York, Room 1404, No. 277 Broadway, in the Borough of Manhattan, City of New York, for the information of whomsoever it may concern.

Second.—That all parties or persons whose rights may be affected by the said estimate, or who may object to the same, or any part thereof, may, within ten days after the first publication of this notice, Friday, May 28, 1909, file their objections, in writing, with us at our office, Room 401, No. 252 Broadway, in the Borough of Manhattan, in The City of New York; and we, the said Commissioners, will hear parties so objecting, at our said office, on the 10th day of June, 1909, at 3 o'clock in the afternoon of that day, and upon such subsequent days as may be found necessary.

Dated New York, May 27, 1909.
HARRISON S. MINOT,
H. STEWART MCKNIGHT,
JACOB F. HAUBEL,
Commissioners.

JOSEPH M. SCHENCK, Clerk, m28.19

SECOND DEPARTMENT.

In the matter of acquiring title by The City of New York to certain lands and premises situated on the southerly side of STATE STREET and the westerly side of ROANOKE AVENUE, adjoining Public School 39, in the Fifth Ward of the Borough of Queens, in The City of New York, duly selected as a site for school purposes, according to law.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Appraisal in the above-entitled proceeding, do hereby give notice to the owner or owners, lessee or lessees, parties or persons respectively entitled to or interested in the lands, tenements, hereditaments and premises, to which it is sought to be acquired in this proceeding, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, No. 252 Jackson Avenue, Long Island City, Borough of Queens, in The City of New York, on or before the 14th day of June, 1909, and that we, the said Commissioners, will hear parties so objecting, at our said office on the 17th day of June, 1909, at 3 o'clock p. m.

Second.—That the abstracts of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, situated at the southwest corner of Fifty-ninth Street and Park Avenue, in the Borough of Manhattan, City of New York, for the inspection of whomsoever it may concern.

Third.—That all parties or persons whose rights may be affected by the said estimate, or who may object to the same, or any part thereof, may, within ten days after the first publication of this notice, Tuesday, May 27, 1909, file their objections, in writing, with us at our office, Room 401, No. 252 Broadway, in the Borough of Manhattan, in The City of New York, and we, the said Commissioners, will hear parties so objecting, at our said office on the 10th day of June, 1909, at 3 o'clock in the afternoon of that day, and upon such subsequent days as may be found necessary.

Dated New York, May 26, 1909.
WILLIAM S. COGSWELL,
JOSEPH H. FITZPATRICK,
FRANK L. BACON,
Commissioners.

JOSEPH M. SCHENCK, Clerk, m27.18

SECOND DEPARTMENT.

In the matter of the application of The City of New York relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of ELEVENTH AVENUE (although not yet named by proper authority), from Jackson Avenue to Flushing Avenue, in The Eleventh Ward, Borough of Queens, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Appraisal in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, No. 252 Jackson Avenue, Long Island City, Borough of Queens, in The City of New York, on or before the 14th day of June, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 17th day of June, 1909, at 3 o'clock p. m.

Dated Borough of Manhattan, New York, May 18, 1909.

Fourth.—That, provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 29th day of September, 1909, at the opening of the Court on that day.

Fifth.—In case, however, objections are filed to any of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the City Record, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, May 21, 1909.

W. M. COGSWELL, Chairman;
LEANDER B. FABER,
ADAM BAYER,

Commissioners.

JOHN P. DUNN, Clerk. m21.10

SECOND DEPARTMENT.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of LUYSTER STREET (although not yet named by proper authority), from Jackson Avenue to the bulkhead line at the East River, in the First Ward, Borough of Queens, City of New York.

WE, THE UNDERSIGNED COMMISSIONERS of Estimate and Assessment in the above-entitled matter, hereby give notice to all persons interested in this proceeding, and to the owner or owners, occupant or occupants of all houses and lots and improved and unimproved lands affected thereby, and to all others whom it may concern, to wit:

First.—That we have completed our estimate and assessment, and that all persons interested in this proceeding, or in any of the lands, tenements and hereditaments and premises affected thereby, and having objections thereto, do present their said objections in writing, duly verified, to us at our office, No. 252 Jackson Avenue, Long Island City, Borough of Queens, in The City of New York, on or before the 14th day of June, 1909, and that we, the said Commissioners, will hear parties so objecting, and for that purpose will be in attendance at our said office on the 17th day of June, 1909, at 3 o'clock p. m.

Second.—That the abstracts of our said estimate and assessment, together with our damage and benefit maps, and also all the affidavits, estimates, proofs and other documents used by us in making the same, have been deposited in the Bureau of Street Openings in the Law Department of The City of New York, No. 252 Jackson Avenue, Long Island City, in the Borough of Queens, in said City, there to remain until the 23d day of June, 1909.

Third.—That the limits of our assessment for benefit include all those lands, tenements and hereditaments and premises situate, lying and being in the Borough of Queens, in The City of New York, which, taken together, are bounded and described as follows, viz.:

Beginning at a point formed by the intersection of the northerly line of Jackson Avenue and a line parallel to and distant one hundred (100) feet east of the easterly line of Luyster Street; running thence northerly along said parallel line to its intersection with the East River bulkhead line; thence westerly along said parallel line to its intersection with a line parallel to and distant one hundred (100) feet west of the westerly line of Luyster Street; thence southerly along said last-mentioned parallel line to its intersection with the northerly line of Jackson Avenue; thence easterly along said line of Jackson Avenue to the point or place of beginning, excepting from said area all streets, avenues and roads, or portions thereof, heretofore legally opened, as such area is shown upon our benefit maps deposited as aforesaid.

Fourth.—That, provided there be no objections filed to either of said abstracts, our final report herein will be presented for confirmation to the Supreme Court of the State of New York, Second Department, at a Special Term thereof, for the hearing of motions, to be held in the County Court House, in the Borough of Brooklyn, in The City of New York, on the 29th day of September, 1909, at the opening of the Court on that day.

Fifth.—In case, however, objections are filed to any of said abstracts of estimate and assessment, the notice of motion to confirm our final report herein will stand adjourned to the date to be hereafter specified, and of which notice will be given to all those who have theretofore appeared in this proceeding, as well as by publication in the City Record, pursuant to sections 981 and 984 of the Greater New York Charter, as amended by chapter 658 of the Laws of 1906.

Dated Borough of Manhattan, New York, May 18, 1909.

WILLIAM W. GILLIN,
Chairman;

JAMES H. TIBBETTS,
ALEXANDER M. SIMPSON,

Commissioners.

JOHN P. DUNN, Clerk. m21.10

SUPREME COURT—THIRD JUDICIAL DISTRICT.

THIRD JUDICIAL DISTRICT, ULSTER COUNTY.

NORTHERN AQUEDUCT DEPARTMENT, SECTION 4.

Town of Olive and Marlboro, Ulster County.

In the matter of the application of The City of New York, relative to acquiring title, wherever the same has not been heretofore acquired, to the lands and premises required for the opening and extending of Jackson Avenue with the middle line of the block between Steinway Avenue and Eleventh Avenue, running thence northerly along the said middle line of the block between Steinway Avenue and Eleventh Avenue to the northerly side of Flushing Avenue; thence easterly along the northerly side of Flushing Avenue to the middle line of the block between Eleventh Avenue and Winsor Street, or Twelfth Avenue; thence southerly along the last mentioned middle line of the block between Eleventh Avenue and Winsor Street, or Twelfth Avenue, to the northerly side of Jackson Avenue; thence easterly along the northerly side of Jackson Avenue out to the point or place of beginning, excepting from said area all streets, avenues and roads or portions thereof heretofore legally opened, as such area is shown upon our benefit maps deposited as aforesaid.

PUBLIC NOTICE IS HEREBY GIVEN THAT the first separate report of Frank H. Osborn, Thomas S. Scott and Andrew D. Hill, who were appointed Commissioners of Appraisal in the above-entitled matter, by an order of this Court, made at a Special Term thereof, held at the City Hall in the City of Albany, N. Y., upon the 13th day of February, 1909, was filed in the office of the Clerk of the County of Ulster on the 15th day of May, 1909, and affects Parcels Nos. four hundred eighty-eight (488), four hundred fifty-one (451), four hundred eighty-four (484), four hundred seventy-six (476), four hundred forty-nine (449), four hundred fifty-four (454), four hundred fifty-three (453 C), four hundred sixty-eight (468), four hundred seventy-two (472), four hundred sixty "A" (460 A), four hundred sixty-five (465), four hundred and forty-two (442), four hundred eighty-six (486) and four hundred seventy-seven (477), four hundred forty-five (445), four hundred forty-one (441) and four hundred thirty-nine (439), shown on the map of this proceeding and the supplemental maps filed in this proceeding.

Notice is further given that no application will be made at a Special Term of the Supreme Court of the State of New York to be held in and for the Third Judicial District, at the City Hall, in the City of Albany, N. Y., on the 15th

(46), one hundred and forty-seven (147), one hundred and forty-eight (148), one hundred and forty-nine (149), one hundred and fifty (150), one hundred and fifty-one (151), one hundred and fifty-two (152), one hundred and fifty-three (153), one hundred and fifty-six (156), one hundred and fifty-seven (157), one hundred and fifty-eight (158), one hundred and fifty-nine (159), one hundred and sixty (160), one hundred and sixty-three (163), one hundred and sixty-four (164), one hundred and sixty-six (166), one hundred and sixty-seven (167), one hundred and sixty-eight (168), one hundred and sixty-nine (169), one hundred and seventy (170), one hundred and seventy-one (171), one hundred and seventy-two (172), one hundred and seventy-three (173), one hundred and seventy-four (174), one hundred and seventy-five (175), one hundred and seventy-six (176), one hundred and seventy-seven (177), one hundred and seventy-nine (179), one hundred and eighty (180), one hundred and eighty-one (181), one 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