

*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

COMMISSIONERS.

*L. Van Rensselaer Cruikshank, President.
Samuel M. Milburn, Vice-President.
William A. Stiles, Treasurer.
Smith Ely.*

Sept. 5th, 1896

Job E. Hedges, Esq.,

Mayor's Office.

Dear Sir:-

I am in receipt of your favor of the 3rd inst., stating that the Mayor has received a request from the Property Owners Union, asking that an effort be made to have the sidewalk on the East side of Fifth Avenue, from 90th Street to 110th Street, flagged its full width.

I have given directions to obtain the names of the property owners on the line of Fifth Avenue at this point, and they will be notified to flag the sidewalk.

Yours truly,

L. Van Rensselaer Cruikshank
President.

*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

COMMISSIONERS.

*S. Van Rensselaer Cruger, President.
Samuel M. Millan, Vice-President.
William A. Stiles, Treasurer.
Smith Ely.*

Sept. 11th, 1896

Job E. Hedges, Esq.,

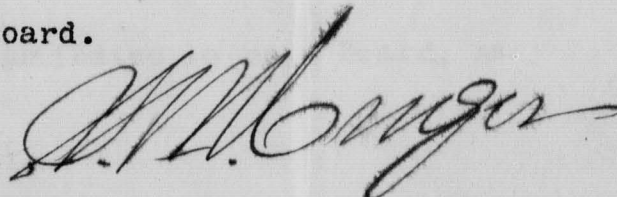
Mayor's Office, City.

Dear Sir:-

I am in receipt of your favor of September 9th, stating that the Mayor directs you to inquire when the Park Board will take action upon the proposed public comfort station in City Hall Park, referred to this Board at a meeting of the Board of Estimate & Apportionment some weeks ago.

In reply, beg to say that the matter was brought up before the Board and referred to a Committee for consideration. It will come up again at the next meeting of the Board.

Yours truly,



President.

*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

Sept. 23rd, 1896

COMMISSIONERS.

*S. Van Rensselaer Cruger, President.
Samuel M. Millan, Vice President,
William A. Stiles, Treasurer,
Smith Ely.*

Mr. Job E. Hedges,

Secretary to the Mayor, City.

Dear Sir,-

In reply to your letter of the 9th inst. to President Cruger, I am directed to advise you that the matter of the proposed Public Comfort Station in City Hall Park, which was referred to this Department by the Board of Estimate and Apportionment, was acted upon by the Park Commissioners at their meeting on Monday last, and their action has been communicated to said Board, as desired.

Respectfully,

William C. Cady
Secretary.

*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

COMMISSIONERS.

*L. Van Rensselaer Cruiger, President.
Samuel M. Millan, Vice-President.
William A. Stiles, Treasurer.
Smith Ely.*

September 29th, 1896

Hon. William L. Strong,
Mayor.

Dear Sir:-

I have pleasure in acknowledging receipt of your letter of the 28th inst., stating that in crossing the Circle at 59th Street and 8th Avenue, you discovered that nothing had as yet been done toward asphalt-ing the same.

In reply, beg to say that we are now advertising for bids for this work which will be opened on Monday next, when we hope to award the contract. I quite agree with you that the Circle is in a disgraceful condition and we have been pushing the preparation of specifications as rapidly as possible.

In reference to the contract for grading around Gen. Grant's tomb, that is now under advertisement and the bids will be opened on Monday next, when we hope also to award that and have the work commenced immediately.

Yours very truly,

L. Van Rensselaer Cruiger
President.

*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

COMMISSIONERS.

*L. Van Rensselaer Cruger, President.
Samuel M. Millan, Vice-President.
William A. Stiles, Treasurer,
Smith Ely.*

October 5th, 1896

Job E. Hedges, Esq.,

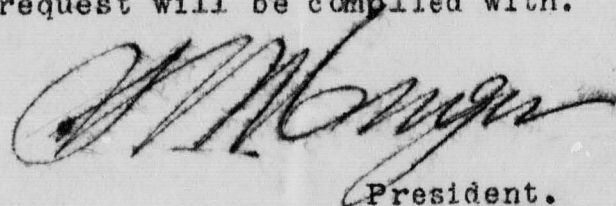
Mayor's Office, City.

Dear Sir:-

I have pleasure in acknowledging your letter of this date, stating that his honor, the Mayor, requests this Board to postpone until further notice from his office, any promotions in the Park Police.

Please inform his honor that his request will be complied with.

Yours truly,


President.

*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

Copy.

Oct. 9th, 1896

COMMISSIONERS.

*S. Van Rensselaer Cruger, President.
Samuel M. Millan, Vice President.
William L. Stiles, Treasurer.
Smith Ely.*

Messrs Seth S. Terry &
Rodney S. Dennis,
Commissioners of Accounts, City.

Gentlemen,-

I would thank you to loan to us any inventory that may have been made by your examiners of the tools, etc., of this Department, for the purpose of comparing it with one recently made by this Department.

Respectfully,

(Signed) William Leary,

Secretary.

Copy.

Office of the
Commissioners of Accounts,
Rooms 114 and 115,
Stewart Building,
280 Broadway,

New York, Oct. 12th, 1896.

Seth Sprague Terry,
Rodney S. Dennis,
Commissioners.

William Leary, Esq.,

Secretary.

Dear Sir,-

Your favor of the 9th inst. is received. The inventory to which you refer has not yet been completed, and when it has been completed the result of it will be forwarded to the Mayor, who in turn will doubtless send the same to the Department of Public Parks.

Yours truly,

(Signed) Seth Sprague Terry

Rodney S. Dennis,

Commissioners.

City of New York.
Department of Public Parks.
The Arsenal, Central Park.

COMMISSIONERS.

S. Van Rensselaer Cruger, President.
Samuel M. Millan, Vice-President.
William A. Miles, Treasurer.
Smith Ely.

Oct. 13th, 1896

Hon. William L. Strong,

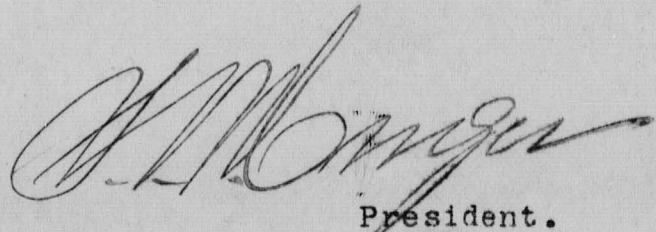
Mayor's Office.

My dear Sir:-

I enclose herewith copy of a letter written by our Secretary to the Commissioners of Accounts on the 9th inst., asking them to loan us any inventory that may have been taken during their examination of this Department. I also enclose their reply thereto.

When the present Board took office, we found that no inventory had been taken for a long time and that no one had any knowledge of the material belonging to this Department. As soon as the Superintendent of Supplies and Repairs was appointed last June, I directed him to make a complete inventory of all the property belonging to this Department as of June 30th. He has now rendered me this inventory, and I should like to have it compared with that taken by the Commissioners of Accounts. As this is a very important matter, I shall be greatly obliged if you will authorize the Commissioners to allow me to have this comparison made at once.

Very truly yours,



President.

City of New York,
Department of Public Parks,
The Arsenal, Central Park.

COMMISSIONERS.

S. Van Rensselaer Cruger, President.
Samuel M. Millan, Vice President.
William A. Stiles, Treasurer.
Smith Ely.

October 16th, 1896

Job E. Hedges, Esq.,

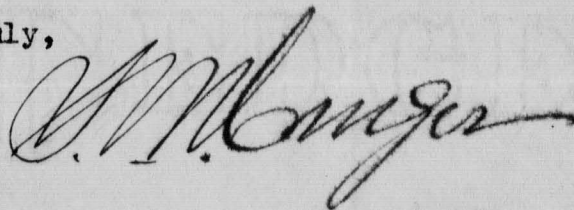
Mayor's Office.

Dear Sir:-

I am in receipt of your letter of the 14th, enclosing, by direction of His Honor, the Mayor, communication from the Secretary of the Civil Service Boards, in reference to the rating of John D. O'Brien and Thomas J. O'Connor, in the examination for positions on the eligible list for promotion to the grade of Roundsman.

I do not see how this Board can do otherwise than to select from the eligible list, as submitted by the Civil Service Commissioners. Will you please inform me whether the Mayor desires us to further suspend consideration of the eligible list submitted by the Civil Service Commissioners.

Yours truly,



President.

City of New York
Department of Public Parks
The Arsenal, Central Park,

COMMISSIONERS' OFFICE.

November 20th, 1896 189

Job E. Hedges, Esq.,

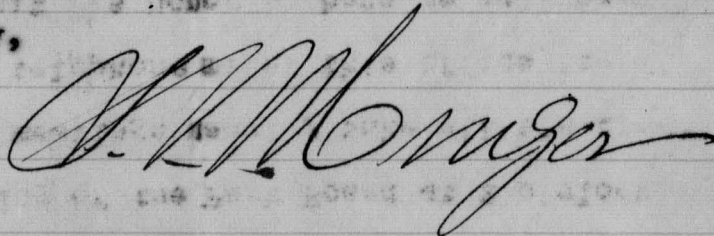
Mayor's Office, City Hall.

My dear Sir:-

I am in receipt of your letter of yesterday, stating his honor, the Mayor, asks that I call at the City Hall on Monday, 23rd inst., at 4 o'clock P. M.

I have to attend a meeting of the Park Board at 2 o'clock on that day and these weekly meetings usually take all the afternoon. Will you kindly telephone me at this office tomorrow morning if it would suit His Honor to have me call before one o'clock on Monday. If not, I must try to get through the business of the Board in time to again go down town.

Yours truly,



*City of New York,
Department of Public Parks,
The Arsenal, Central Park.*

Nov. 24th, 1896.

COMMISSIONERS.

*S. Van Rensselaer Cruger, President.
Samuel M. McMillan, Vice President.
William A. Stiles, Treasurer.
Smith Ely.*

Hon. Wm. L. Strong, Mayor,
City of New York.

Sir,-

I have the honor to inform you that at a meeting of the Board of Parks, held on the 23rd inst., Commissioner Samuel McMillan was elected President to serve until May 1st, 1897; Commissioner S. V. R. Cruger was elected Vice President to serve until May 1st, 1897, and Commissioner Wm. A. Stiles was re-elected Treasurer for the same period.

Respectfully,

William Leary

Secretary.

Fort Washington,

12th, Jan'y 1897.

Dear Sir:

Fort Washington Park comprising about 40 acres, between 170th, and 181st streets, -The Boulevard Lafayette and the Hudson River, has been lately acquired.

There are within it 4 commodious brick dwellings, -one brick hotel several stories in height, and 3 frame dwellings. This park is not accessible by any line of street cars, and not likely for many years to be much frequented as a resort.

It can be made a boon to the laboring people of the lower west side, by providing ferry transportation.

The buildings unoccupied will fall into decay. They can be utilized at no large cost for Summer Kinder-garten instruction of children, if a way of going to and fro is provided.

It will be long before any small parks can be available below 70th street. A tithe of the interest on the cost of any small park down town will defray the expense of a ferry, thereby putting the people in immediate enjoyment of a natural park during the years they must wait for the small parks to be made for them.

I enclose a map tracing showing outline and buildings.

Respectfully
Yours,
John H. Thompson
Mayor of New York
Hon. W. L. Strong

Hudson

River

Fort
Washington
Seacoast

N. Y. C. & H. R. R. R.

Washington Park

Fort

WEST END
HOTEL

Fort Washington
Depot Road

PUBLIC

DRIVE

Buildings colored red - Brick.
Yellow - Frame.

BOULEVARD
LAFAYETTE

181st St

City of New York.
Department of Public Parks,
The Arsenal, Central Park.

COMMISSIONERS.

Samuel M. Millan, President.
L. Van Rensselaer, Cruger, Vice President.
William A. Stiles, Treasurer.
Smith Ely.

January 18th, 1897

Job E. Hedges, Esq.,

Secretary to the Mayor,

City Hall.

Dear Sir:-

I beg to acknowledge the receipt of your communication of the 16th inst., enclosing a letter from Miss Tillie Livingston of West Farms, concerning skating on the Bronx River.

In this connection, I would state that the ice formed at the point
this season
she mentions has never[^] been safe for skaters, because of its poor quality and the number of air holes in it. We sent up an additional force to prepare it, but found that skating could not be allowed with safety. I am writing the lady to this effect.

Respectfully,

Samuel M. Millan

~~Secretary.~~

President

City of New York.
Department of Public Parks,
The Arsenal, Central Park.

COMMISSIONERS.

Samuel M. Millard, President.
L. Van Rensselaer, Greager, Vice-President.
William A. Stiles, Treasurer.
Smith Ely.

Feby. 9th, 1897.

The Honorable,

William L. Strong,

Mayor.

My dear Mayor:-

Your communication of February 8th is at hand, transmitting a communication of William H. Hume, architect, relative to the taking the point off Union Square facing Broadway, thereby making a larger area for traffic and lessening the possibility of danger and loss of life to pedestrians .

I would state that I have now a map prepared to submit to you that covers the same object and more fully than the one suggested by Architect Hume. I expected to have it ready to present to you today, but on account of not having clear weather, I could not get the prints ready. I will have a number of them struck off and send one to you and to others interested in the matter, which has given me a great deal of thought of late, because of the loss of life at the point in question.

Most respectfully yours,

Samuel M. Millard

President.

List of Arrests for Bill Posting. Feb. 17th, 1897.

Bryant Park. Dec. 10th, 1896. Frank L. Ward, 251 W. 35th St
" " Dec. 12th, 1896. " " "
" " Dec. 19th, 1896. " " "

Arrested by Officer William J. Dunn,

Discharged by Magistrate Sims on Dec. 10th, 1896.

" " " Kudlich on Dec. 12th and 19th.

110th St. & 5th Ave. Circle. Dec. 28th, 1896.

George Goss, 243 East 121st St. Arrested by Officer Cotter.

Discharged by Magistrate Crane.

William Benton, 1882 Park Ave. Arrested by Officer Cotter.

Discharged by Magistrate Crane.

110th St. Cathedral Parkway. Dec. 30th, 1896.

William McMahon, 159 East 110th St. Arrested by Officer
Andred J. McNulty.

Discharged by Sergeant Morgan, Park Police. Dec. 30th,

Peter Keck, 252 East 110th St. Arrested by Officer McNulty

Discharged by Roundsman Tyson, Park Police, Dec. 30th, 1896

Peter Keck, 252 East 110th St. Arrested by Officer Harris.

Discharged by Magistrate Crane. Dec. 30th, 1896.

William Reilly, 2417 First Ave. Arrested by Officer Harris.

Discharged by Magistrate Crane.

59th St. & 8th Ave. Circle. Jan. 20th, 1897.

John Holmes, 29 Christopher St. Arrested by Officer Moran.

William Hall, 241 East 108th St. Arrested by Officer Moran.

Both men discharged by Magistrate Mott.

59th St. & 8th Ave. Circle. Jan. 21st, 1897.

John Holmes, 29 Christopher St. Arrested by Officer Fitzgerald

Discharged by Magistrate Mott.

Riverside Park. Jan. 20th, 1897.

Fred. Bonity, 166 East 120th St. Arrested by Officer Green.

Discharged by Magistrate Mott.

110th St. & 8th Ave. Jan. 27th, 1897.

Peter Keck, 252 East 110th St. Arrested by Officer Sweeney

Discharged by Magistrate Wentworth.

110th St. & 5th Ave. Circle. Jan. 29th, 1897.

Gustave Miller, 157 East 126th St. Arrested by Officer Crosby

Discharged by Magistrate Wentworth.

72nd St. & Amsterdam Ave. Feb. 17th, 1897.

William Hall, 241 East 108th St. Arrest. by Officer Gartelman

John Holmes, 29 Christopher St. " " "

Both men discharged by Magistrate Kudlich.

110th St. & 5th Ave. Feb. 18th, 1897.

Gustave Miller, 151 East 126th St. Arrest. by Officer Herlich.

Discharged by Magistrate Kudlich.

Officer William J. Dunn is being sued by Van Buren & Co. for
the arrest of Frank L. Ward on the above mentioned dates.

City of New York.
Department of Public Parks,
The Arsenal, Central Park.

COMMISSIONERS.

Samuel M. Millan, President.
L. Van Rensselaer, Esq., Vice President.
William A. Stiles, Treasurer.
Smith Ely.

Feby. 18th, 1897

Hon. William L. Strong,
Mayor.

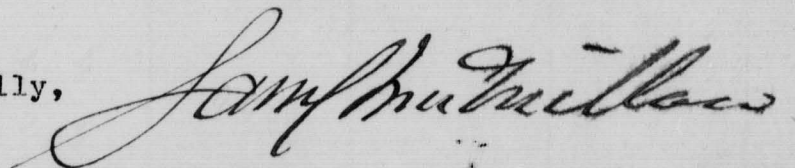
Dear Sir:-

I am sorry that you are being annoyed with communications in reference to bill posting, and to satisfy you that we are doing all that we can in this matter as a Board, and that I have given it my personal attention, I beg to send you herewith record of our Police Department, as to arrests for violations of the law and the discharges by the Courts of the offenders. The Courts hold that the law is faulty and that the offenders cannot be held.

The Captain of Police has recommended that we cease arresting violators for this cause, but I have felt that it was our duty to continue the arrests and let the Courts take the responsibility for the discharge of the offenders.

I have also sent a copy of the Captain's report to Mr. Bayne, with a letter of explanation.

Respectfully,



President.

C
City of New York.
Department of Public Parks,
The Arsenal, Central Park.

March 4th, 1897.

COMMISSIONERS.

Samuel McMillan, President.
L. Van Rensselaer, Burger, Vice-President.
William A. Hiles, Treasurer.
Smith Ely.

Hon. William L. Strong,

Mayor.

My dear Sir,-

I am in receipt of a communication, dated March 1st, from Mr. John Proctor Clarke, Assistant to the Counsel to the Corporation, in which he says:-

"On conferring with the Mayor with reference to the proposed bill authorizing the issuance of \$250,000 bonds for park improvements, I was informed that your Department had not submitted the matter to the Mayor, and I therefore was instructed to suggest to you that the reasons for the proposed legislation should be submitted to the Mayor."

I beg to submit herewith memorandum compiled from a report of the Superintendent of Parks, submitted to the Board at a meeting held on the 4th of January last, showing for what purposes the \$250,000 of bonds for park improvements are required. Since submitting his report the Superintendent has requested the sum of \$57,000 for filling in the low ground in front of the Van Cortlandt Mansion on Van Cortlandt Park. This increases the approximate amount required to \$316,895.

Respectfully,

Samuel McMillan
Secretary.

CENTRAL PARK.

The improvement and finishing of Central Park, consisting of grading, shaping the surface, rock work and park making in portions still unfinished, especially the territory between the East Drive and Fifth Avenue, from 90th to 110th Streets. The soil at this point is very poor and will require enriching with large quantities of mould and manure; in other portions of the park the plantations will require to be renewed and the general wear and tear replaced.

It is approximately estimated that the cost of this work, covering an area in Central Park of 50 acres, would be:

Trees & Shrubs	\$7,345.00	
Mould	68,000.00	
Labor	25,000.00	
Manure	7,000.00	
Contingencies	<u>3,000.00</u>	\$110,345.00
Five cottages at \$7,000 each		35,000.00
Police stables, 85th Street Transverse Road .		50,000.00
Continuation of the introduction of the system of irrigation in Central Park, along Fifth and Eighth Avenues, for the benefit of border plantations		8,645.00

MORNINGSIDE PARK.

One cottage	7,000.00
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PARKS BELOW 59TH STREET.

The down town parks are much in need of improvement. There is a lack of trees and shrubs and many of the walks should be repaired or altered. Large spaces of the lawns of these parks should be covered or filled with fresh mould and resodded, in the same manner as was done in City Hall Park last year.

The parks in which the plantations require renewing, etc., are as follows (the cost of the work being approximately estimated)

Madison Square	\$4,347.00	
Stuyvesant Square	8,494.00	
Tompkins Square	7,998.00	
Washington Square	6,094.00	
Battery Park	14,406.00	
Mount Morris Park	<u>7,566.00</u>	48,905.00

(The improvements at Battery Park are in the territory about the Elevated Railway structure, the erection of a gentlemen's cottage, and at the seawall, where the walk is to be widened from 35 to 70 feet and shade trees planted).

\$259,895.00

S. G.

*Law Department,
Office of the Counsel to the Corporation.
New York, March 22^d 1897*

Hon. William L. Strong,
Mayor, and Chairman, Commissioners
of the Sinking Fund.

S i r :-

I enclose you herewith copy of a letter
which I have this day transmitted to the President of
the Department of Parks, and also a copy of the pro-
posed resolutions to be adopted by the Sinking Fund,
which is referred to in said letter.

Yours very truly,

Francis M. Root
Counsel to the Corporation.

A.

WHEREAS, by chapter 435 of the Laws of 1895, entitled "An Act to incorporate the New York Zoological Society and to provide for the establishment of a Zoological Garden in the city of New York", it is provided that the Commissioners of the Sinking Fund of the City of New York are authorized in their discretion to allot, set apart and appropriate, for the use of said corporation, any of the lands belonging to said city north of 155th Street, but not in Central Park.

RESOLVED, that the said Commissioners of the Sinking Fund do hereby allot, set apart and appropriate for the use of said corporation, a tract of land in the southern portion of Bronx Park embracing an area of about 261 acres and consisting of so much of said park as lies south of Pelham Avenue upon the following terms and conditions, to wit:

FIRST:- That said grounds thus set apart and appropriated, shall be used for no other purpose whatsoever except for the purpose of said Zoological Garden as the same are specified in the act aforesaid, and that said appropriation of said lands hereby made shall be revoked if, after the expiration of five years from the date of this resolution a Zoological Garden is not established upon said tract of land.

SECOND:- That the original equipment of buildings and animals for said Zoological Garden shall be paid for from funds contributed by the New York Zoological Society, and that said Society shall, before it enters into occupation of the allotted land and within one year from the date of this Resolution, raise one hundred thousand dollars by subscription, and within five years from the date of this Resolution, the further sum of at least one hundred and fifty thousand dollars. If the said Society shall fail or neglect to raise said funds within the periods respectively fixed therefor, it shall, on demand of the Commissioners of the Sinking Fund, surrender to the City of New York the land allotted to it as a site for said Garden, and all improvements made thereon. The said Society shall not mortgage its buildings or animals, or any of its property within said Garden, which is directly or indirectly maintained by the City of New York.

THIRD:- The said Zoological Society shall have the power to establish an endowment fund from the donations and bequests, which fund shall be used solely, unless otherwise specified by the donors thereof, for the general uses and purposes of said Society. The funds of said Society, other than the sums contributed to said endowment fund, shall be expended upon buildings and other enclosures for animals, for the collections of animals and for the general purposes of the Society. Among the funds thus to be ex-

pendent shall be the subscriptions of members, life members and patrons and all cash donations to said Society, other than those made for the purposes of the endowment fund and all monies derived from the sale of animals; and the net proceeds of the privileges that may be developed in said Garden, such as refreshments, boating, riding animals, the sale of photographs, etc., shall be used for, and expended in the increase of the collection and payments from the funds of such Society, including the endowment fund, shall be made directly from the treasury of the Society.

FOURTH:- The library, pictures, maps, office furniture and other moveable property purchased and owned by the Society shall remain the property of the Society, and excepting living animals, may be removable at will, and any piece of such property shall bear a distinguishing mark. But no building, aviaries or cages may be sold or removed by said Society without the written consent of the Board of Parks. All property paid for from the maintenance fund, hereinafter referred to, shall belong to the city.

FIFTH:- So long as the said Society is entrusted with the control and management of the said Zoological Garden, and the city provided for the proper

Maintenance and care of the animals and collections therein, the said society shall not remove any of its animals or collections for exhibition elsewhere without the consent of the Board of Parks, but if the City shall ever cease to provide for the proper maintenance and care of the said animals and collection, the said Zoological Society shall have the right, upon giving three months' notice in writing to the Board of Parks, to remove said animals and collections owned by it. The said society shall have the right to improve its collections by the exchange of animals and also by the sale of animals not needed for exhibition; but all moneys derived from such sale or exchange of animals shall be used only for the purpose of increasing said collections.

SIXTH:- The City of New York shall annually provide the necessary funds for the maintenance and care of the Zoological Garden, its buildings, enclosures and other improvements made from time to time therein, and the animals and collections of said society; but the appropriation for the first year is not to exceed Sixty thousand dollars (\$60,000.). It shall be the duty of the city to provide from such sums or appropriations, as may be applicable thereto, the cost of the necessary improvement of the ground prior to the erection of buildings and enclosures, including such roads, walks, fences, grating, water supply, drainage and heating as may be or become necessary for the proper development of said Zoological Gar-

den, all of which work of preparation and construction shall be performed in conformity with the plans therefor to be agreed upon between the Park Department and the Zoological Society. The said city shall also furnish the necessary supply of water, and adequate police patrol and protection, and the salaries of all persons employed directly in the service and development of the Zoological Garden shall be paid from the maintenance fund and from such other funds as may be available ~~for~~ and applicable to the purpose. Payments from the maintenance fund shall be made upon vouchers filed with the Comptroller and drawn in such form as he may direct; and said society shall annually render to the Mayor of the City of New York, a report showing all expenditures during the year then past, made on account of the said Zoological Garden, all revenues and resources thereof, a statement of the number of the members of said society, of the donations received and of the number of animals in the garden, the chief items of improvement made during the year and all other information that the said Mayor may require.

SEVENTH:- The Park Department shall at all times have access to the grounds, buildings and other enclosures of the said Zoological Society for general police visitation and supervision, and for all other lawful purposes. Prior to the commencement of any work on

said Garden the general plan therefor shall be submitted to and approved by the Park Board, and all subsequent plans for buildings, roadways and paths shall also be so submitted and approved. No living tree shall be cut down or removed, except by the express authority of said Park Department, but the said Zoological Society shall have the right to remove dead trees and such bushes as it may be necessary to remove in the preparation of enclosures for animals or in making other improvements. The said Department of Parks shall plant such and so many shade trees, aquatic plants, shrubs and flowers as may be necessary to enhance and secure the seclusion, beauty and usefulness of the park, and shall do and perform all the work of gardening necessary to carry out the general plan of improvement and the subsequent plans as may be agreed upon between the said Zoological Society and the said Department of Parks.

EIGHTH:- The said Zoological Garden and its collections shall be free to the public without the payment of any admission fee or gratuity whatsoever for not less than seven hours a day on at least five days of the week, one of which shall be Sunday, and also on all legal holidays and half holidays, subject to such reasonable regulations as may be made by said Society, but the said Society may close the area devoted to the collections of animals on not more than two days in each week, and on such days

may charge an admission fee which shall be fixed by said society, and all moneys derived from such admission fees shall be expended by said society in the increase of the collections or in the improvement of said garden or its buildings: but the portion of the grounds situate east of the Boston Road and all the Bronx River below the Boston Road Bridge shall be open to the public at all times as pleasure grounds, subject to such reasonable regulations as may be adopted by said society with the approval of the Park Department, and the occupancy of that portion of the park by herds of animals or by collections shall be subject to the consent of the Park department.

NINTH:- The said Zoological Society shall have the right and power to appoint, direct, control and remove all persons and officers employed by them in and about the Zoological Garden, and to fix the salaries of such persons and officers and to make promotions, but all regular employees shall be chosen, and their salaries fixed and promotions made by reason of special fitness and ability.

TENTH:- Subject to the conditions hereinbefore contained, the said Zoological Society shall exercise entire control and management over all the affairs of the said Zoological Garden.

*Law Department,
Office of the Counsel to the Corporation.
New York, March 23^d 1897.*

A.M.C.

Hon. Samuel McMillan,

President, Department of Parks.

S i r :-

I am in receipt of a letter from your Secretary dated March 2nd, 1897, embodying a copy of a resolution adopted by your Board on March 1st, approving of the designation of the southern portion of Bronx Park as a suitable location for the Zoological Garden and transmitting to me a memorandum of the proposed agreement between the Park Department and the Zoological Society with a request that I inform your Board whether, in my opinion, the interests of the city are properly protected.

A careful examination of the statute incorporating the New York Zoological Society shows that it contains no provision for a contract between the Park Department and the Society, such as that which obtains in the case of the Metropolitan Museum of Art and the Metropolitan Museum of Natural History.

I am therefore unable to approve the memorandum of contract in the precise form in which you transmitted it to me, because an attempted contract between your Board and the Society in the absence of any legislative act

authorizing it would be nugatory and void.

The purpose which you seek to obtain, however, can, I think, be arrived at in another way. The act, chapter 435 of the Laws of 1895, incorporating this Society, vests the Commissioners of the Sinking Fund with discretion to set apart for the use of the corporation, any of the lands of the city north of 155th Street. In my opinion the Sinking Fund Commissioners have the power to impose such reasonable restrictions and conditions upon their allotment of land for this purpose as may seem to them to be proper. I have therefore taken the liberty of recasting the memorandum transmitted to me into the form of a resolution by the Sinking Fund Commissioners, and I enclose a copy of said resolution of which I have also sent a copy to the Mayor. You will see upon perusing it that it embodies substantially all the provisions of the memorandum submitted by you with one or two modifications to which I will refer.

The document enclosed to me as a memorandum, consists of four typewritten pages with certain alterations made in ink, some of which alterations or modifications I have not deemed it proper to embody in the enclosed resolutions. One of the suggestions made in ink, is that the animals purchased by the Society shall be the property of the City of New York. I find upon an examination of the act, that the Legislature have invested the

Society with the power to purchase and hold animals, etc., and that it is provided as to the animals now composing the menagerie of Central Park that if they shall be turned over to this Society, the Department of Public Parks shall have no authority to sell, lease or transfer the same. I think the clear intention of the act was to vest the title to all animals purchased by the Society in the Society itself, and I do not think it would be effective or legal to impose upon them as a condition that the title to such animals should be vested in the city. Of course all permanent improvements made upon the land such as buildings and the like, would become the property of the city immediately upon their erection.

I have omitted the provision that in case of the failure of the Society to raise the specified amounts by subscription, the city shall furnish the amount for that purpose. This I have done because I know of no authority in law by which the Sinking Fund Commissioners can bind the city to provide any such sum.

I have omitted the provision that the moneys derived from the sale or exchange of animals shall be added to the fund for the maintenance and care of the collections, leaving that, as it seems to me to be more appropriate that it should be left, to increase the capacity of the society for adding to its collections.

I have also restored the provision that if the city shall hereafter cease to provide the necessary maintenance, the society may remove its animals and collections, and dispose of the same. This appears to me to be only fair and reasonable in view of the fact that the contributions to be made for the purchase and acquisition of such collections will be so made upon the faith of the city's agreement to provide a maintenance fund. I have not included the suggestions made by yourself as to filling vacancies in the Board of Trustees from time to time, because to do so would contravene the provisions of the statute which leaves that matter to be determined by the by-laws of the society.

I have compared the conditions embodied in the enclosed resolution with the contracts made between the city and the two museums in Central Park, and I find that the restrictions placed upon the Zoological Society in these resolutions are much more stringent than those placed upon the museums referred to, and that the freedom of control accorded to the Zoological Society is much less than that accorded to the said museum. I have therefore concluded and am of the opinion that a resolution such as that which I enclose to you, will amply and sufficiently protect the interests of the City.

I return herewith the letters and memorandum of
proposed agreement enclosed to me by your Secretary.

Yours truly,

(Sjm)

Francis M. Scott
Counsel to the Corporation.

MEMORANDUM FOR PROPOSED CONTRACT

as submitted

To the Commissioners of the Sinking Fund and the Commissioners of Public Parks, City of New York, by the New York Zoological Society as modified by the addition of certain of the suggestions of President McMillan, under dates Jan'y 1st, February 16th and March 3rd. [1897]?

ARTICLE I.

Establishment.

1. The City shall forthwith allot a tract of land in the southerly portion of Bronx Park, embracing the area of about 261 acres, situated South of Pelham Avenue, as a site for the proposed Zoological Park.

2. The original equipment of buildings and animals for the Zoological Park shall be paid for from funds contributed by the Society.

3. To constitute the Society Fund, the Society shall, before it enters into occupation of the allotted land, and within one year from the date of this agreement, raise \$100,000 by subscription, and within five years from the date of occupation the further sum of at least \$150,000. In the event that these funds are not raised within such periods, the Society shall on demand of the Commissioners of the Sinking Fund surrender to the City the land allotted as a site, and all improvements thereon.

4. The Society agrees not to mortgage its buildings or animals or any of its property within the Park, directly or indirectly maintained by the City.

ARTICLE II.

Uses of Society Fund.

1. The Society shall have the power to establish an Endowment Fund from donations and bequests.

MEMORANDUM OF AN AGREEMENT

between

The Commissioners of the Sinking Fund and the Commissioners of Public Parks, City of New York, and the New York Zoological Society,

As modified and submitted by Mr. McMillan.

ARTICLE I.

Establishment.

1. The City shall forthwith allot a tract of land in the southerly portion of Bronx Park, embracing the area of about 261 acres, situated south of Pelham Avenue, as a site for the proposed Zoological Park.

2. The original equipment of buildings and animals for the Zoological Park shall be paid for from funds contributed by the City, or contributions from individuals and shall be the property of the City.

3. The Society, before it enters into occupation of the allotted land, and within one year from the date of this agreement shall raise \$100,000 by subscription, and within five years from the date of occupation, the further sum of at least One hundred and fifty thousand dollars. If for any unknown reason the Society should fail so to do the City shall enter in and furnish the said amount for that purpose, to the end that the public may have a Zoological Garden and the enterprise may not fall through.

ARTICLE II.

Uses of Society Fund.

1. The Society shall have the power to establish an Endowment Fund from donations and bequests, which fund shall be used solely for the general benefit of the Zoological Garden, as established in Bronx Park, and to perpetuate the said Zoological Garden.

2. The Society Fund, other than sums contributed to an Endowment Fund, shall be expended upon buildings and other enclosures for animals, for the collections of animals and for the general purposes of the Society. To this fund shall be added subscriptions of members, life members and patrons; also all cash donations to the Society, and all moneys derived from the sale of animals.

3. The net proceeds of the privileges that may be developed in the Park, such as refreshments, boating, riding animals, the sale of photographs, etc., shall be expended in the increase of the collections.

4. Payments from the Society Fund, such fund to include the Endowment Fund, shall be made directly from the Treasury of the Society.

ARTICLE III. Ownership.

1. The library, pictures, maps, office furniture and other movable property purchased and owned by the Society, other than living animals, shall remain the property of the Society, and be removable by it at will; and every piece of such property shall bear a distinguishing mark. All property paid for from the maintenance fund shall belong to the City.

2. No buildings, aviaries or cages shall be subject to sale or removal by the Society, without the written consent of the Board of Parks.

3. So long as the Society is entrusted with the management of the Zoological Park, and the City provides for the proper maintenance and care of the collections, the Society agrees not to remove any of its animals or collections for exhibition elsewhere without the consent of the Board of Parks. The Society shall have the right to improve the collections by the exchange of animals, and also by the sale of animals not needed for exhibition; but it agrees that all moneys derived from the sale or exchange of animals shall be added to the fund for the increase of the collections, and used for that purpose only.

4. In the event that the City ever ceases to provide for the proper maintenance and care of the animals, the Zoological Society shall have the right to remove the animals and collections owned by it, and dispose of the same, by giving three months notice in writing.

2. The Society Fund, other than sums contributed to an Endowment Fund, shall be expended upon buildings and other enclosures for animals, for the collections of animals and for the general purposes of the Zoological Garden. To this Fund shall be added subscriptions of members, life members and patrons; also all cash donations to the Garden, and all moneys derived from the sale of animals.

3. The net proceeds of the privileges that may be developed in the Garden, such as refreshments, boating, riding animals, the sale of photographs, etc., shall be expended in the increase of the collections.

4. Payments from the Society Fund and the Endowment Fund shall be made directly from the Treasury of the Society.

ARTICLE III. Ownership.

1. The library, pictures, maps, office furniture and other movable property purchased and owned by the Society, other than living animals, shall remain the property of the Society, and be removable by it at will; and every piece of such property shall bear a distinguishing mark. All other property shall belong to the city.

2. No buildings, aviaries or cages shall be subject to sale or removal by the Society, without the written consent of the Board of Park Commissioners.

3. So long as the Society is entrusted with the management of the Zoological Park, and the City provides for the proper maintenance and care of the collections, the Society agrees not to remove any of the animals or collections for exhibition elsewhere, without the consent of the Board of Park Commissioners. The Society shall have the right to improve the collections by the exchange of animals, and also by the sale of animals not needed for exhibition; but it agrees that all moneys derived from the sale or exchange of animals shall be added to the fund for the increase of the collections and the maintenance and care of the same, and used for that purpose only.

ARTICLE IV.

Maintenance Fund and Fund for Ground Improvements.

1. The City shall annually provide funds for the maintenance and care of the Park, its buildings and collections, enclosures and other improvements made from time to time by or through the Society. The maintenance fund for the first year shall not exceed \$60,000, and subsequent annual appropriations shall depend upon the development and public patronage of the Park, and be subject to the approval of the proper City authorities.

(2) 2. Special funds may be provided by the City or by legislative enactment to meet the cost of necessary ground improvements prior to erection of buildings and enclosures. From such funds shall be constructed such roads, walks, fences and a system of grading, water supply, drainage and heating as may become necessary in the development of the Park as hereinafter provided for; and all such work of construction shall be performed in conformity with the general plans agreed upon between the Park Department and the Zoological Society, as provided in Article V.

3. The City shall, in addition, furnish a supply of water and adequate police patrol and protection.

4. Payments from the Maintenance Fund shall be made upon vouchers from the Comptroller's office, and in such forms as the financial officer may direct.

5. The salaries of all persons employed directly in the service and development of the Zoological Park shall be paid from the Maintenance Fund, or from other funds available for that purpose.

6. The Society shall render to the Mayor of the City of New York an annual report, showing all expenditures made on account of the Zoological Park, all revenues and the source thereof, together with a list of donations and of members, a statement of the number of animals in the Park, the chief items of improvements made during the year and all other information that the interests of the public may fairly require.

ARTICLE IV.

Maintenance Fund and Fund for Ground Improvements.

1. The City shall annually provide funds for the maintenance and care of the Garden, its buildings and collections, enclosures and other improvements made from time to time by or through the Society. The maintenance fund for the first year shall not exceed \$60,000, and subsequent annual appropriations shall depend upon the development and public patronage of the Garden and subject to the approval of the proper City authorities.

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ARTICLE V.

Relation to Department of Public Parks.

1. Prior to the commencement of work on the Park, the general plan shall be submitted to and approved by the Park Board. Subsequent to this, plans for buildings and plans for roadways and paths shall be submitted to and approved by the Park Board.

2. The Park Department shall at all times have access to the grounds, buildings, and other enclosures of the Zoological Park for general police visitation and supervision, and also for the purpose of performing the duties devolved upon it by the laws of the State of New York, or of the City of New York. The police powers and supervision of said Department shall extend in, through and about every portion of the Zoological Park.

3. No living tree shall be cut down or removed, unless authorized by the Park Department; but the Society shall have the right to remove dead trees and to remove such bushes as may be absolutely necessary in the preparation of enclosures for animals, or in making other improvements. The Park Department shall plant such shade trees, aquatic plants, shrubs and flowers as may be necessary to enhance the seclusion, beauty and usefulness of the Park, and shall perform all the work of gardening necessary to the carrying out of the general plan of improvement as agreed upon between the Zoological Society and the Department of Parks.

ARTICLE VI.

Free Admission of the Public.

1. On at least five days of the week, one of which shall be Sunday, and upon all legal holidays, the Park and its collections shall be free to the public, for not less than seven hours without the payment of any admission fee or gratuities whatsoever, subject to such regulations as may be necessary.

ARTICLE V.

Relation to Department of Public Parks.

1. Prior to the commencement of work upon the Garden the general plan and all improvements thereafter, shall be submitted to and approved by the Board of Parks.

2. The Department of Parks shall at all times have access to the grounds, buildings, and other enclosures of the Zoological Park, for general police visitation and supervision, and also for the purpose of the performance of the duties devolved upon it by the Laws of the State of New York or of the City of New York. The police powers and supervision of said Department shall extend in, through and about every portion of the Zoological Park.

3. No living tree shall be cut down or removed, unless authorized by the Park Department; but the Society shall have the right with the approval of the Department, to remove dead trees and to remove such bushes as may be absolutely necessary in the preparation of enclosures for animals, or in making other necessary improvements. The Department of Parks shall plant such shade trees, aquatic plants, shrubs and flowers as may be necessary to enhance the seclusion, beauty and usefulness of the Park and perform all the work of gardening necessary to the carrying out of the general plan of improvement as agreed upon between the Zoological Society and the Department of Parks.

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1. On, at least five days of the week, one of which shall be Sunday, and upon all legal holidays, the Park and its collections shall be free to the public, for not less than seven hours without the payment of any admission fee or gratuities whatsoever, subject to such regulations as may be necessary and agreed upon by the Society and the Department.

2. The Society shall have the right to close the area devoted to animal collections on one or two days in each week, or on such days to charge an admission fee to be fixed by the Society. All moneys derived from this source shall be expended in the increase of collections or in construction.

3. The portion of the grounds situated east of the Boston Road, and all the Bronx River below the Boston Road Bridge shall be open to the public at all times, subject to reasonable regulations, as pleasure grounds, and the occupancy of that portion of the Park by animal herds or collections shall be subject to the consent of the Park Department, as may be obtained from time to time.

ARTICLE VII.

General Powers of the Society.

1. The Society shall have the right and power to appoint, direct, control and remove all persons and officers employed in and about the Zoological Park, and to fix the amount of the salaries of such persons and officers, and to make promotions. All regular employees shall be chosen by reason of special fitness or ability, and salaries and promotions shall be based on the merit system only.

2. With the limitations already defined, the Zoological Society shall exercise entire discretion and management over all the affairs of the Zoological Park.

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ARTICLE VII.

General Powers of the Society.

1. The Society shall have the right and power to appoint, direct, control and remove all persons and officers employed by the Society, in and about the said Zoological Garden. All regular employees of the Society shall be chosen by reason of special fitness or ability and salaries and promotions shall be based on the merit system only.

2. With the limitations already defined, the Zoological Society shall exercise entire direction and management over all the affairs of the Zoological Park.

3. But, if for any cause now unknown to the Society or the City, the Society should wish to give up the care and management of the Zoological Park, on their declaration to that effect, they shall surrender to the City all of the rights and title to conduct and manage the said Zoological Park; but in the event of the City's declaring itself unwilling to enter in and conduct and manage the said Zoological Garden, the Society shall then become possessed and be owners of all animals and shall have the right to dispose of them for the benefit of the said Society.

NEW YORK ZOOLOGICAL SOCIETY,
69 WALL ST., NEW YORK.

1897

3 - 4

Prof. Henry F. Osborn.
850 Madison Ave.

(Letter within.)

Office of the
Commissioners of Accounts,

ROOMS 114 AND 115,

Stewart Building,
280 Broadway.

SETH SPRAGUE TERRY,
RODNEY S. DENNIS,
Commissioners.

New York, March 29, 1897.

Hon. William L. Strong,

Mayor.

Sir:-

Pursuant to your request an examination has been made of the Department of Public Parks.

The examination has disclosed the fact that prior to your appointment of a new board of Commissioners of Public Parks on February 18, 1895, a very large number of men were carried upon the payroll of the Department whose services were unnecessary and who did very little or no work, they being kept in employ at the request of various politicians. Several instances of this can be given. The average amount of wages paid to the regular laborers during each week ending in the month of January 1895 was \$8105.64; many of such force were discharged by the new board and the average amount of wages paid to the regular laborers during each week ending in the month of March 1895 was reduced to \$5302.20, without any decrease in the amount of work actually performed.

In April 1895 the Board removed eight "skilled laborers" and three "laborers", all detailed to perform clerical work; these eleven persons and three others were engaged in work now performed by three persons. The saving thus made amounted to \$6648 a year. The reason that such persons were appointed as "laborers" and "skilled laborers" and carried upon the pay rolls under such titles, while actually performing the work of clerks, was to avoid the Civil Service regulations, as clerks could only be appointed after civil service examinations, whereas no examination was necessary for laborers or skilled laborers. By appointing clerks under these titles examinations were avoided and the law violated.

Upon examination of the work being done upon the Harlem River Driveway, in March 1896, it was found that many persons were

employed unnecessarily in the engineering department, and upon our recommendation the present board suspended one draughtsman, two axemen, one transitman and four inspectors, the salaries of whom amounted to \$9000 a year.

Another method of favoring certain men was in the allowance of overtime to gardeners. During February 1894 such allowance of overtime amounted to 115 days and during February 1895 to 122 7/8 days, while the present board reduced this in February 1896 to 69 1/2 days. The regular force was not increased in February 1896, so that a considerable saving was made.

A practice prevalent for a long time in the Department has been to take men assigned to work under a certain foreman and detail them to work under another foreman. In all these cases the foreman from whose charge the laborer has been detailed has certified to the time of the laborer so detailed, such foreman having no personal knowledge of the time the laborer has worked. In some cases the same man has been detailed to work under a foreman other than his regular foreman every day for more than a month, while the regular foreman, having no personal knowledge of the work performed, has continued to certify as to the time the man was engaged in work. In our opinion in such cases the certificate as to the time of employment should be given by the foreman to whose charge such laborer is detailed and who has personal knowledge as to the time of employment.

So far as it is now possible to make an examination of the work done under Chapter 11 of the Laws of 1894, commonly designated as the "Million Dollars Appropriation Act", great extravagance is to be seen.

An illustration of this is to be found in the drilling of rock upon Cathedral Parkway (formerly known as 110th Street) between Columbus and Amsterdam Avenues, which work was performed under several Treasurer's orders issued to James Dempsey, each

providing for drilling holes at thirty-five cents per linear foot, which was a large price. The amount for which each order was issued was a trifle under \$1000 and the orders were issued a few days apart. In this way the Board of Park Commissioners in office in 1894 violated the spirit of the law which provided that contracts for work amounting to over \$1000 should be let after public competition. These orders contained no limit as to the distance from each other of the holes to be drilled, so that it was for the interest of Mr. Dempsey to place them as near each other as possible. Many of these holes drilled on the face of the rock are now visible, and the average distance between them from centre to centre is eight inches. The reports of our engineers who have investigated the rock show that if these holes had been three feet apart they would have been near enough to be used for the purpose of blasting the rock properly. Each square yard of surface therefore contained many times the necessary number of drill holes and the City was forced to pay many times as much as was necessary. The only method which would have complied with the spirit of the law and which would have been businesslike would have been to have made a contract, after public competition, for the blasting of the total quantity of rock, measured by the cubic yard; in this way no unnecessary drilling would have been done; but the contract would not have been awarded necessarily to Mr. Dempsey, for everyone would then have been allowed to bid. The total amount paid to Mr. Dempsey for this drilling was \$8043.70, the greater part of which would have been saved to the City if the proper method had been adopted.

The former Park Commissioners violated the spirit of the law in many other instances by issuing numerous orders to the same favored person or corporation for the same class of work at the same place, within a few days of each other, but being careful to keep each order slightly under \$1000. Only in this way could the Commissioners avoid competition, select the person to be favored

with the work, and give him whatever price they saw fit.

Another illustration of the extravagance in 1894 under this appropriation was the rock excavation on the east side of Seventh Avenue immediately south of the McComb's Dam Bridge. The total amount of the excavation was 22,000 cubic yards, of which 14,900 cubic yards were excavated by day labor and under Treasurer's orders for drilling of a character similar to that at the Cathedral Parkway. The remaining 7,100 yards, which was harder in character than the 14,900 yards, were excavated by contract. The excavation of the 14,900 cubic yards cost the City \$43,199.53; whereas the cost of the excavation of the remaining 7,100 yards by contract was \$3291.07. The cost under the first method was \$2.22 a cubic yard, while under the contract the cost was only 46 cents a cubic yard. Under the method by day labor the stone was broken up so as to make good filling for James D. Leary to use under a contract for the building of the southerly section of the Harlem River Driveway, under which contract he was paid for all filling. Not only was this stone, which was broken up at the City's expense, given to Mr. Leary for nothing, but derricks, hoisting apparatus and men hired by the City at a cost of \$18 a day were used largely for the purpose of loading the broken stone upon Mr. Leary's scows.

Two of the new parks in the upper portion of the City have been disfigured greatly by permissions given by the former Board of Park Commissioners to favored contractors.

On October 30, 1894, George C. Clausen, President of the Department of Public Parks, granted to one Joseph Flynn a permit, under which the latter very greatly damaged the appearance of Bronx Park by making extensive excavations of earth; the earth so excavated was used in regulating and grading a street in the vicinity under a contract in which Flynn was personally interested. In this manner he was enabled to use for his private purposes, without compensation, a large quantity of earth in place of that which other-

wise he would have been compelled to buy. The part of Bronx Park in which this excavation was made was sloping in character, covered with sod and very attractive in appearance. The excavation covered a space about two hundred feet wide and four hundred feet long and now presents a very unsightly appearance, the earth having been removed and large stones and boulders covering the surface. It is estimated that it would cost \$20,000 to restore the Park to a slightly condition.

A similar excavation in the same year was permitted to be made in Cedar Park by Frederick Schnauffer, who had the contract for regulating and grading Girard Avenue. The excavation covered a space about one hundred feet wide and about three hundred feet long and greatly disfigured the park. To restore this Park to a good condition will cost many thousands of dollars.

No compensation whatever was received by the City in either of these cases, and the persons to whom the permits were granted were allowed to damage and disfigure the Parks in order that they might save some expense and make more profit out of their contracts with the City.

Many of the prices paid for supplies purchased by the department under the administration prior to 1895 were excessive. Identical articles bought by the department prior to that year have been submitted to reputable dealers with a request for the prices at which they would be willing to supply similar articles to the Department. The following table shows the prices at which similar articles can be purchased; in this table all articles are omitted in which there has been any material fluctuation in market prices during the past four years.

Name of Article.	Price paid by Department prior to January 1, 1895.	Market Value.
Round Shovels "D" handles	7.25 per dozen	5.50 per dozen
Axes with handles	12.50 " "	9.50 " "
Iron Coal Wheel Barrows "D"	9.45 each	5.00 each
Ostrich No. 14 Feather Dusters	10.50 per dozen	5.00 per dozen
Ostrich Extra No. 14 Feather Dusters	15.00 " "	8.00 " "
XXX Corn Brooms	3.00 " "	2.25 " "
Galvanized Hods No. 17	4.80 " "	2.75 " "
12 lb. Mops	2.00 " "	.90 " "
Mop handles	1.25 " "	.67 " "
Galvanized iron pails, 14 qts.	3.50 " "	2.00 " "
Cocoa Mats, 21 x 35, medium grade	27.00 " "	11.60 " "
Cocoa Mats, 19 x 31, medium grade	11.50 " "	9.30 " "
Whisk brooms	18.00 per gross	10.50 per gross
Dandruff brushes of Tampico	54.00 " "	43.00 " "
Scythe stones	11.00 " "	9.00 " "
Steel brooms, handled, 14 in., 4 wires	14.00 per dozen	7.50 per dozen

The Department bought bass push brooms with scrapers and handles attached at prices varying from \$10 to \$14 a dozen at the same time that the Street Cleaning Department was paying \$8 a dozen for precisely similar brooms.

Since we called the attention of the Department to these differences, all the above named articles have been and are being bought at the reduced prices as shown above. The present board has also purchased the meat consumed by the animals in the menagerie at a reduction of twenty-five per cent from the price paid formerly.

Many of the animals, especially the larger ones, kept in the Park Menagerie during the winter months do not belong to the City, but are loaned temporarily by the owners of travelling menageries and circuses. This arrangement is of obvious advantage

to the owners and gives amusement and pleasure to the public. Under the present administration the owners of the animals so loaned pay for the food consumed, whereas formerly the City was at that expense.

F. H. D. Mason, the former purchasing clerk, bought for the park policemen cloth for their uniforms and by paying within thirty days after the delivery of the goods the moneys actually received by him from such policemen, he obtained a cash discount of five per centum, amounting to \$680.26 from March 2, 1891, to June 29, 1896, for which amount he has failed to account either to the City or the police.

The department for some years has been under great expense for the repair of lawn mowers, there being 30 horse lawn mowers and 120 hand lawn mowers in use. In 1894 it cost for labor to repair these horse lawn mowers \$752., or \$25.06 each, and to repair the hand lawn mowers \$1495., or \$12.46 each. The patentee of the machines in use in the department has made us a written offer to perform the labor necessary to keep in repair each horse mower for \$6 a year and each hand mower at \$2 a year, or a total of \$420, as compared with an expense of \$2247. incurred in 1894.

A discrepancy has been found by us in the forage supplied to the department prior to our examination. In 1894 the department paid for 930,791 pounds of hay, 120,232 pounds of straw, 8,315 bags of oats, 1,030 bags of bran and 1,155 bags of corn. The weighmaster's records for the same year show that only the following quantities were received: 836,786 pounds of hay, 105,834 pounds of straw, 8,120 bags of oats, 980 bags of bran and 835 bags of corn; a difference of 94,005 pounds of hay, 14,398 pounds of straw, 195 bags of oats, 50 bags of bran and 320 bags of corn. This discrepancy could not have existed if there had been a proper system of checking. The weighmaster's certificates should be sent to the purchasing clerk, and attached to the corrected bill before

auditing, and in this way no excess of payment could be made without great carelessness.

It would seem to have been an impossibility for the horses to have consumed the feed which the records show was consumed during the year 1894. The average number of horses kept at both stables at Central Park was 96. The average amount of feed which it is claimed was consumed by the horses each day amounted to 16.5 pounds of hay, 18.3 quarts of oats, 2.14 quarts of bran and 1.5 quarts of corn. It is submitted that no horse could consume this amount of feed. The only inferences capable of being drawn are that either the department never received this quantity of forage, or that a portion of it was wrongfully removed from the department.

The present Park Commissioners ascertained that the coal delivered to the Department at the Arsenal was not being weighed by the person whose duty it was to weigh the same, and that such person certified to the weight without any basis for determining its accuracy other than the statement of the dealer furnishing it, although the department scales were within a few feet of the weigher's office. Such delinquent employe was discharged immediately after such discovery.

We find that great laxity has prevailed in the receipt and delivery of supplies, many supplies having been delivered on unsigned and unapproved requisitions. The storekeeper should keep receiving and delivery books and all requisitions should be signed by the foreman to whom the supplies are to be delivered and approved by the Superintendent of Repairs and Supplies. In our opinion a "general voucher" system should be inaugurated in the bookkeeping department, and a contract journal should be kept showing the amount of all contracts and all payments thereon.

On February 12, 1895, in a report made to you by the Commissioners of Accounts, it was recommended that the Park De-

partment abolish the system of leasing restaurant and other privileges at a percentage of the receipts of the lessees, and that thereafter all privileges should be sold to the highest bidder at a fixed price per year; in this way any false return of receipts by the lessees would be obviated. This method has since been adopted in those cases where former leases have expired and the following table shows the gain to the City arising from such change.

	Percentage received by City in 1894.	Present yearly rental.
Claremont Restaurant	\$3992.32	\$6300.
Casino Restaurant, Casino)		
Sheds, Arsenal Restaurant)	8190.88	13600.
and Dairy)		
Van Courtlandt Park Restaurant	80.12	360.

The following statement shows the amounts which were due the City from lessees of Park privileges on January 1, 1897, and which are still unpaid.

Charles Schwartz, High Bridge Park	\$22.12
Thomas J. Brown (Park carriage privilege)	399.
A. Bauer (Pelham Park)	26.25
William Ward (Pelham Park)	132.68
J. T. Jordan (Pelham Park)	7.79
J. Reynolds (Claremont Park)	3.07
D. F. Sullivan (Van Courtlandt Park)	96.46

A great source of expense to the City was the faulty construction of the Aquarium at Castle Garden which was commenced in 1892 under plans approved by the Board of Park Commissioners in office at that time. The expense of the construction has been very large, amounting to over \$270,000. When the Board appointed by you took office it was found that the glass forming the sides of the tanks was not of proper thickness to withstand the pressure of the water and that the natural light in the building was admitted in such a manner as to render it nearly impossible to see the fish in

the tanks. This necessitated the making of new tanks and an entire rearrangement of the interior of the building for the admission of light, which has cost over \$36,000, nearly all of which would have been saved if the Aquarium in the first instance had been constructed properly. The City was not only put to this additional expense, but also was compelled to maintain a force during the time of such delay for the purpose of caring for and maintaining the fish which had been collected.

Early in 1894 James D. Leary entered into a contract for the building of the southerly section of the Harlem River Driveway. Under this contract Mr. Leary was to furnish garden mold for use as top soil upon which the sod is to be placed. About half the quantity of material has been delivered already, amounting to about three thousand cubic yards; but instead of the material being garden mold, which is rich soil, an inferior grade of earth has been supplied.

As a part of the work under the same contract it was necessary to dredge considerable mud from the Harlem River, and it was provided that for the quantity so dredged Mr. Leary should be paid twenty-one cents a cubic yard. All the mud dredged is taken to sea for a distance of several miles, to a point off Far Rockaway, and dumped under permits obtained from the United States Supervisor of the Harbor, it being prohibited by law to dump any material in the harbor. Such permit is issued for each scow and no scow is allowed to go to sea without a permit. The Supervisor's boats patrol the harbor night and day for the purpose of detecting the dumping of any scows either without permits or in improper places; the patrol boats collect the permits and a complete record in detail is kept in the office of the Supervisor of the Harbor purporting to show all the loads of scows dumped. The records of such Supervisor fail to show that many scow loads of mud claimed to have been dredged by such contractor and for which payment has been made were

taken to sea and dumped, and as the contractor has testified before us that whatever mud was dredged was taken to sea it would appear from such records that the mud in question was never dredged and that the City has been improperly charged for the same. In our examination of the Department of Public Docks a similar state of facts was found to exist; in that case the dredging contract having been made with the Morris and Cumings Dredging Company, nearly all the stock of which is owned by this same James D. Leary. The same person who was employed by the Park Department to inspect the dredging for the Harlem River Driveway inspected the dredging so done for the Department of Public Docks, and a former employe of the Morris and Cumings Dredging Company testified before us that nearly every week for nine months he was given checks by that company drawn upon the Chatham National Bank, payable to bearer; that he drew the cash on these checks and gave the proceeds to this same inspector who was at the time in the employ of and paid by the City to protect its interests, and that the amount of these payments varied from \$25 to \$50 each week. The company refused to allow an examination of its books and accounts for the purpose of ascertaining whether such testimony was true or false. The inspector denied that he ever received any such money. From the records of the Supervisor of the Harbor it appears that seventeen scow loads containing 8584 cubic yards of material claimed to have been dredged were never taken to sea and for the amount charged for this dredging deduction should be made upon future payments under the contract.

Respectfully submitted,

Seth Sprague Terry
Robert L. Leary
Commissioners.

President, C. C. NADAL.
Vice-President, L. J. CALLANAN.
Treasurer, ALAN D. KENYON.
Secretary, EDWIN T. RICE, Jr.

Office of the Secretary,
59 WALL STREET.

Office of the General Agent and Attorney,
722 LEXINGTON AVE.

General Agent, JACOB A. RUS.
Attorney, JOHN H. MULCHAHEY.

Council
OF
Confederated Good Government Clubs.

New York, April 5th 1897

Hon William L. Strong
Mayor.

Dear Sir. A joint committee of the Easton
Good Government Club and the Social Reform Club
desires the privilege of an interview with you on the
subject of the possible acquisition of the city, for
Playground purposes, of the old cemetery plot
enclosed in the block between Second and Third
Sts and the Bowery and Second Avenue. Will
you kindly inform the Committee, through me,
when it will be agreeable to you to receive it,
on any day after Wednesday, this week. The
Committee believes that it will be able to put
before you facts which will justify its hopes and
elicit your active aid in the furtherance of this
beneficent Scheme.

Respectfully yours

Please address answer to Jacob A. Rus
301 Mulberry Street

Jacob A. Rus.

City of New York.
Department of Public Parks,
The Arsenal, Central Park.

COMMISSIONERS.

Samuel W. Millan, President.
L. Van Rensselaer Cruger, Vice-President.
William A. Stiles, Treasurer.
Smith Ely.

April 7th, 1897

Hon. William L. Strong,

Mayor.

Sir:-

I beg to acknowledge receipt of your letter of the 6th instant, transmitting a communication from J. E. Schwartz, complaining of insects in Tompkins Square. I have referred the letter to the Entomologist of the Department for attention.

Respectfully,

Samuel W. Millan
President.

City of New York.
Department of Public Parks,
The Arsenal, Central Park.

April 8th, 1897.

COMMISSIONERS.

Samuel M. Millan, President.
L. Van Rensselaer Cruger, Vice-President.
William A. Stiles, Treasurer.
Smith Ely.

To the

Hon. William L. Strong,

Mayor.

Sir,-

I intended to appear before your Honor this afternoon at the hearing to amend Chapter 621 of the Laws of 1896, entitled "An Act in relation to the jurisdiction of the Department of Public Parks of the City of New York over certain streets in said City," but have been summoned to Albany to attend a hearing this afternoon.

I would recommend that the bill be amended so as to include 116th Street from Morningside Park to Riverside Drive as this is most important for a central connection between Morningside Park and Riverside Park and Drive. 116th Street being 100 feet wide can be so better treated as a park street, and it seems to me that this should be done in the interest of Columbia College and the other institutions in that portion of the City.

Respect fully,

Sam. M. Millan

President. *per J.B.*

Personal

CITY OF NEW YORK,
DEPARTMENT OF PUBLIC PARKS,
ARSENAL, CENTRAL PARK.

April 29th, 1897.

Hon. William L. Strong,
Mayor of New York,
City Hall.

My Dear Mr. Mayor:--

In our recent conversation on Park Department affairs you requested me to give you the names of the foremen whom I stated to you I had found utterly inefficient, and who Mr. McMillan and myself have been unable to get rid of.

First. P. W. St John. This, in my judgment, is the worst case in the Department. Early in 1896 I became satisfied that he was not properly performing his duties and I finally recommended to the Board his dismissal, not only on the ground of inefficiency and carelessness in the performance of his duties, but for having sworn to a false return of car-fare expended in visiting the several Parks under his charge. I strongly recommended to the Board his dismissal. Notwithstanding the seriousness of the charges, Messrs. Ely and Stiles have persistently refused to sanction his removal.

Second. R. G. Walmsley, Foreman of stables. Absolutely inefficient and the condition of the stables and the horses is disgraceful. One afternoon in February I went there about five o'clock as the horses were coming in. He was not there but his assistant told me that it was the habit to let the horses be turned in at night without being cleaned.

CITY OF NEW YORK,
DEPARTMENT OF PUBLIC PARKS,
ARSENAL, CENTRAL PARK.

(Hon.W.L.S.2.)

I have frequently suggested his removal but have only had Mr. McMillan's support. Recently we have had to get another foreman to assist in the work and the Superintendent has preferred charges against Walmsley in hopes that we may get rid of him in this way.

Third. James Earle, Foreman of Riverside Drive, was so inefficient that although his removal was opposed, I finally had charges preferred against him early last autumn, as also against Foreman Wm. H. Hynes. I tried them both and recommended their dismissal. Hynes dismissal was finally agreed upon, upon condition that he be given two months which was done. James Earle was also given until the 1st of December, but when the time came, Messrs. Ely and Stiles would not consent to his dismissal, but finally agreed to his reduction to the position of assistant foreman and he was placed in charge of Madison Square. I feel sorry for the man. He has seen better days and is a decent, respectable man, but utterly useless as a foreman. I do not, however, consider the Park Department an eleemosynary institution and the Commissioners certainly have no right to retain in the pay of the city men who cannot properly perform their duties.

Fourth. D. M. Callender is another man who is inefficient whom I tried to get rid of last year and finally had him reduced to assistant foreman and assigned to duty at the stables. He is really of little use.

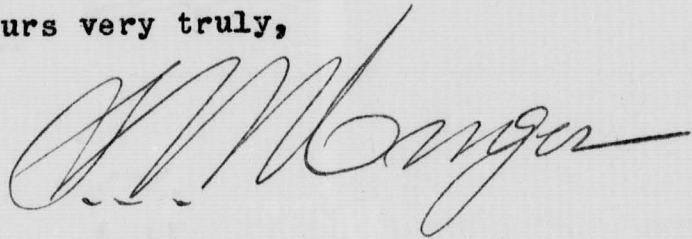
All these men feel that they cannot be removed as long as the Superintendent has the support of Messrs. Stiles and Ely. The result has

CITY OF NEW YORK,
DEPARTMENT OF PUBLIC PARKS,
ARSENAL, CENTRAL PARK.

(Hon. W.L.S.3.)

been most demoralizing to the Department. The Superintendent is especially favorable to Foreman St. John, who is especially favored in every way while some of the newer foremen are hampered in every possible way in their work. I regret to feel obliged to say what I have, but as you were desirous of knowing the exact condition of affairs in the Department, I feel that it is due to you to give you all these facts.

Yours very truly,

A handwritten signature in cursive script, appearing to read "W.L.S.3.", written in dark ink.

President, GEO. M. CUMMING.
Vice President, J. H. C. NEVIUS.
Treasurer, JULIUS BLUMBERG.
Secretary, PREBLE TUCKER.

Office of Secretary.
ROOM, 110 TRINITY BUILDING,
111 BROADWAY.

Council
OF
Confederated Good Government Clubs.

New York, May 1st, 1897.

Hon. Wm. L. Strong,
Mayor of the City of New York.

S i r :-

It has occurred to me that, with the crowding of innumerable heavy duties upon you, you may with difficulty find time to pick your men for the Advisory Committee on small parks, of which we spoke, and might take it kindly to have the names of good men suggested to you.

In that belief I venture to submit a few, among which you may find some to your liking. I think we will agree that it is essential that the committee shall from the first command public confidence.

These are the names:

Abram S. Hewitt

Ex-Judge M. S. Isaacs

Constant A. Andrews

Felix Adler

Richard Watson Gilder

Ex officio:

President Wilson, Health Department;

President McMillan, Park Department.

President, GEO. M. CUMMING.
Vice President, J. H. C. NEVIUS.
Treasurer, JULIUS BLUMBERG.
Secretary, PREBLE TUCKER.

Office of Secretary,
ROOM, 110 TRINITY BUILDING,
111 BROADWAY.

Council
OF
Confederated Good Government Clubs.

New York,

Hon. W. L. S.

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These occur to me now as splendid material. Perhaps you have
a better list. It should embrace at least four well-known men.

Very respectfully,

Jacob A. R. S.

General Agent.

HOPE CHAPEL,
JOHN B. DEVINS, PASTOR.
339 EAST 4TH ST.
NEW YORK.

June 5, 1897.

My dear Sir:-

I am very greatly obliged for the honor which you have conferred upon me by appointing me a member of the Committee charged with the duty of selecting sites for small parks. Whatever I can do to aid your Administration in giving the people of the city the best government that they have had for many a day, I shall esteem it a great privilege to do.

Believe me,

Very gratefully,

John B. Devins

The Hon. William L. Strong,
Mayor of New York.

June 5/97

JAMES J. HIGGINSON,
16 East 41st St
NEW YORK.

Hon. W. L. Strong Mayor

Dear Sir:

Your communication of
yesterday is at hand and I
shall be happy to serve on the
Committee charged with the duty
of selecting sites for small parks.

Yours respectfully
James J. Higginson

DeWitt J. Seligman,
328 West 58th Street,

New York,

June 7

1894

Hon. W. L. Strong
Mayor

Dear Sir, In reply to your
esteemed letter of June 4th,
it will afford me pleasure
to serve on the small
parks' committee.

Yours truly,
DeWitt J. Seligman

LAW OFFICES OF
M. S. & I. S. ISAACS
AND
JULIUS J. FRANK
27 & 29 PINE STREET.

TELEPHONE CORTLANDT 931

New York, June 7, 1897

M.S.I. - E.

Hon. William L. Strong,
Mayor,

Dear Sir:-

I appreciate the honor you confer upon me in designating me as one of a Committee charged with the duty of selecting sites for small parks. Being deeply interested in the subject, I accept the appointment and shall be ready to perform the duties thereby entailed.

Sincerely yours,

M. S. Isaac

June 7 - 1897

P. O. Box 408,
So. NORWALK, CONN.

Hon. Wm L. Strong,
Mayor of New York.

Dear Sir,

Your favor of the 4th inst., suggesting my appointment as a member of a Committee of citizens charged with the duty of selecting sites for small parks, was received late Saturday evening, owing to my absence from the City.

While fully appreciating the honor involved in the nomination, & thanking you for considering my name, I feel that, partly for reasons of health, partly because I am already much over-worked, I should be doing an injustice, both to my associates & myself, were I to undertake further responsibilities, at present.

I am, therefore, reluctantly compelled to decline the nomination.

Again thanking you, I remain,

Very respectfully,
Woodbury G. Langdon.
719 Fifth Ave.
N. Y. C.

William R. Stewart,

16

31 Nassau Street, New York.

Post Office Box 258.

Telephone 3269 Cortlandt.

June 7, 1897

Hon. William L. Strong,

Mayor of the City of New York,

City Hall.

Dear Sir:

I am to-day in receipt of a notice of my appointment by Your Honor as a member of the Committee charged with the duty of selecting sites for small parks in this city, and accept the appointment with thanks for this further proof of your consideration.

Very truly yours,

Wm R Stewart

City of New York.
Department of Public Parks,
The Arsenal, Central Park.

COMMISSIONERS.

Samuel M. Millan, President.
L. Van Rensselaer, Esq., Vice-President.
William A. Miles, Treasurer.
Smith City.

June 12th, 1897

Hon. William L. Strong,

Mayor.

My dear Sir:-

I have the honor to acknowledge receipt of your letter of the 10th instant, informing me that you have appointed me an ex-officio member, to act and co-operate with the Committee to select small parks throughout the city.

I beg to express my thanks for the honor conferred upon me by this appointment and shall be glad to serve the Committee at any time to the best of my ability.

Very respectfully,

Samuel M. Millan
President.