

BOX

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FOLDER

9

Automobile Regulations

1911-1913

287/12
December 27, 1912. b

S i r :

I enclose to you a letter
from Mr. Prince suggesting that one
street should be for north-bound
traffic, and another for south-
bound traffic. The idea may be
worth considering, if it has not
already been considered.

Very truly yours,

W. A. Mayor
Mayor.

R. Waldo, Esq.,
Police Commissioner,
New York City.

Enc.

AUTO REG

0

August 22nd, 1911.

S i r :

A great many people have written to me about the contrariety of decisions among the magistrates with respect to the speed law. The legal adviser from the Corporation Counsel in this office advises me that there is no local ordinance on the question. The ordinance could not go into effect without the posting of certain notices, required by law, and these notices were never posted. It has always been my opinion that we should have no local ordinance on the subject, but every magistrate should be free to determine the given case whether the automobile was being run recklessly, whether the speed was thirty miles an hour or only two miles. It all depends upon time and place and surroundings. However, I cannot decide the law, but it would be a good thing if the magistrates could come together and agree. A local ordinance of eight miles or twelve miles, or whatever it may be, does no good. It is very often reckless to go two miles or five miles an hour.

Very truly yours,

W. F. Gaynor
M a y o r .

Hon. William McAdoo,
Chief City Magistrate, First Division,
City of New York.

August 28, 1911.e

Dear Judge McAdeo:

I am very glad to receive your letter of August 23rd with regard to the automobile law. I had no notion that the state law did not apply to this city. The trouble about the local ordinance is that the notices necessary to put it in force were never posted. If we need a new ordinance we had better frame a good one. It has always seemed to me that the test of negligence or recklessness should go before the Magistrate uncomplicated by any law or ordinance. Where there is a law or ordinance fixing a rate of speed, the controversy centers itself on that, instead of on the question of negligence or recklessness.

Sincerely yours,

W. H. Taylor
Mayor.

Honorable William McAdeo,
Chief City Magistrate,
300, Mulberry Street,
New York City.

May 27th, 1912.M

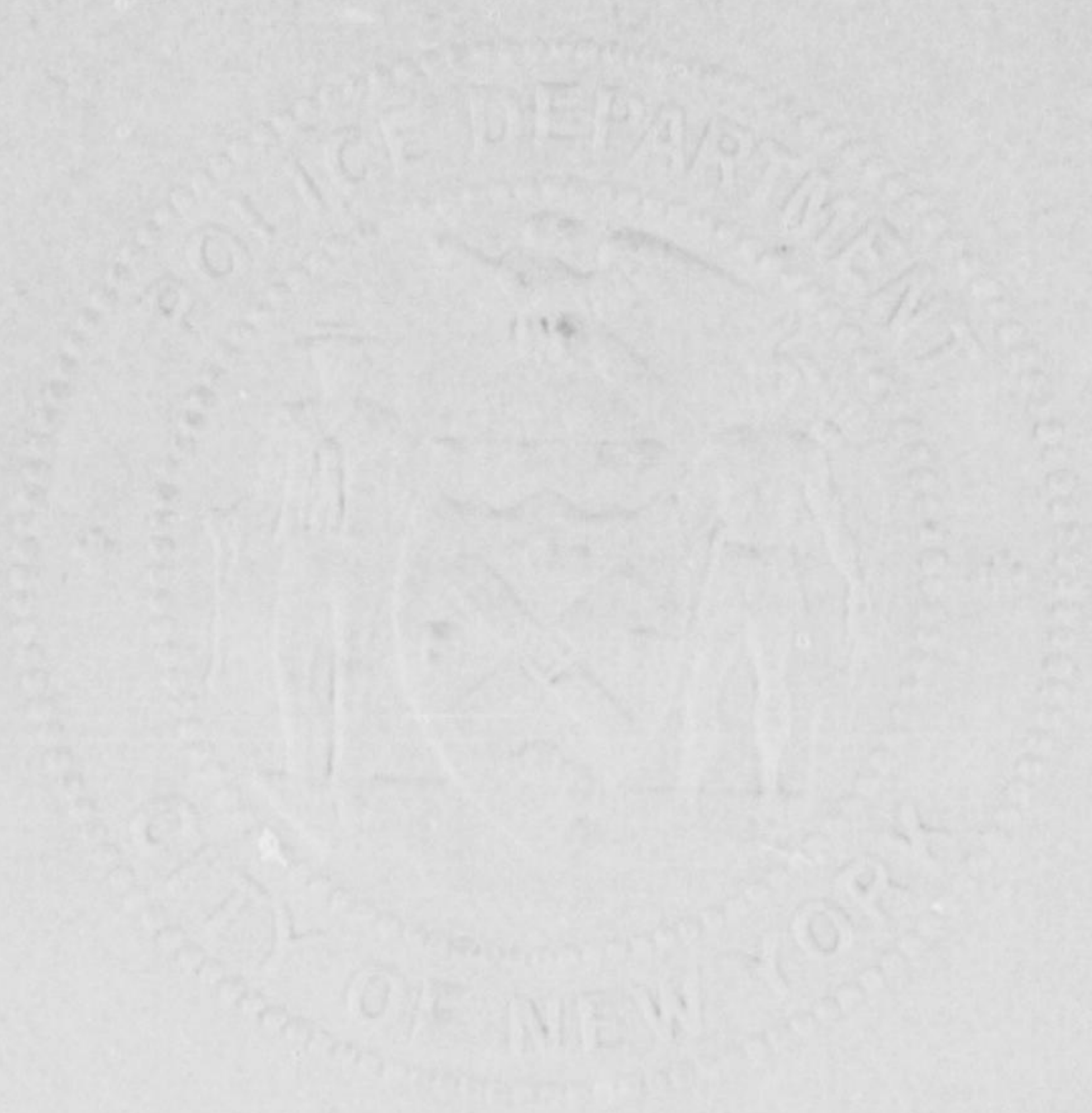
Dear Mr. Coudert:

I thank you for your letter. Why is not the French law the best, namely, to make negligence or recklessness the test? My experience is that where you have a speed limit the whole stress of the trial is upon the question whether that limit was exceeded or not, whereas the driver may have been reckless if he were going only half that limit.

Very truly yours,

W. H. Murray
Mayor.

Frederic R. Coudert, Esq.,
2, Rector Street,
New York City.



OFFICE OF
THE COMMISSIONER
December 28, 1912.

Hon. William J. Gaynor,
Mayor, City of New York,
City Hall, New York City.

S i r :

I have the honor to acknowledge receipt of your letter of December 27th, enclosing communication suggesting the desirability of certain Streets being reserved for North bound, and others for South bound traffic.

The "one-way-Street" has been adopted in Boston, due to the extreme narrowness of some of the Streets in the business section.

In my opinion it would be neither necessary, practical, nor desirable in the Streets of this City.

Very respectfully,


Police Commissioner.

THE CITY CLUB OF NEW YORK
55 WEST FORTY-FOURTH STREET

EXECUTIVE OFFICES

April 21, 1913

Hon. William J. Gaynor
Mayor of the City of New York
City Hall, New York City

Dear Sir:

We earnestly urge you to sign Item No. 2515 of the minutes of the Board of Aldermen, constituting a new ordinance regulating motor vehicle traffic upon the streets of the city.

You are familiar with the antiquated city ordinance which now governs motor vehicle traffic in our streets. It is practically unenforcible because the speed limit which it prescribes is only eight miles an hour. The punishment for violation cannot exceed a fine of ten dollars, nor can magistrates punish by imprisonment.

The new ordinance has an ultimate speed limit of twenty miles. A rate of speed over fifteen miles an hour will constitute prima facie evidence of reckless traffic; and the punishment for violation may be either fine or imprisonment, or both, and will be cumulative.

The new ordinance also makes possible the punishment of an owner who causes or permits his chauffeur to violate the speed limit.

In our judgment this ordinance is one of the best accomplishments of the Board of Aldermen, and we earnestly urge its signature.

Respectfully,

THE CITY CLUB OF NEW YORK

By

Robert S. Burke

Secretary

COMMITTEE ON CITY AFFAIRS

Joseph G. Deane, Chairman
Waddill Catchings
Lincoln Cromwell

Foster Gilroy
F. Robertson Jones
Joseph M. Price

OFFICE OF
THE COMMISSIONER

October 30, 1913.

Hon. Julian Beaty,
Secretary to the Mayor,
City Hall, New York City.

S i r :

I am in receipt of your letter of October 29th, enclosing communication from Kingsley L. Martin, suggesting that chauffeurs and drivers be required to use a set of signals which he prescribes, showing, by means of extending the arm and hand in various directions and manner, what movement is contemplated by the driver.

This is something beyond anything ever attempted in any community. Unless we can stop all business of the City, and bring all drivers and chauffeurs down to Headquarters for a course of drilling, I think the idea would be impracticable.

Very respectfully,


Police Commissioner.

THE CITY CLUB OF NEW YORK
55 WEST FORTY-FOURTH STREET

RELEASED FOR PUBLICATION WEDNESDAY AFTERNOON, APRIL 24, 1912
EXECUTIVE OFFICES

April 23, 1912

Hon. Ralph Folke
Chairman, Special Committee Board of Aldermen
27 William Street, New York City

Dear Sir:

The appointment of the special committee of which you are Chairman is a recognition of the wide-spread dissatisfaction with the conditions surrounding the use of our city streets by motor vehicles.

A new city ordinance is absolutely necessary to meet the situation. In the hope of assisting in the preparation and passage of such an ordinance we beg to call your attention to the following facts:

I. THE CALLAN LAW DOES NOT REGULATE SPEED IN
NEW YORK CITY

The Callan law (Chapter 374 of the laws of 1910) is popularly supposed to be the speed law in New York City. But Section 238 of that law provides "That nothing in this article contained shall impair the validity or effect of any ordinances regulating the speed of motor vehicles, or of any traffic regulations with regard to the operation of motor vehicles, heretofore or hereafter made, adopted or prescribed pursuant to law in any city of the first class;" etc.

The Callan law therefore does not regulate speed in New York City. This is the position taken by the City Magistrates. It has not been over-ruled by any of the higher courts.

II. MOTOR VEHICLE TRAFFIC IS REGULATED UNDER
TWO ANTIQUATED CITY ORDINANCES

(a) Section 454 provides:

"The following rates of speed through the streets of the city shall not be exceeded, that is:

"Eight miles an hour by bicycles, tricycles, velocipedes and motor vehicles, however propelled, or by passenger and other vehicles drawn by horses or other animals, except that in portions of the city not built up, where the buildings are at least 100 feet apart, a speed of fifteen miles an hour may be maintained"

(b) Section 475 provides that any person violating any ordinance, including Section 454, may be fined from \$1 to \$10.

III. RESULTS OF THIS SITUATION.

There is scarcely a motor vehicle taken out of a garage in this city without violating the City's antiquated speed ordinance. As that ordinance provides a maximum speed which in a large number of cases can be exceeded with safety, no successful enforcement of the ordinance can be had. On the other hand, the most reckless driver in the city can be fined only \$10 or sentenced to 10 days imprisonment. Hence the police force and the magistrates cannot possibly deal effectively with the dangerous and reckless use of the streets at the present time.

IV. THE IMMEDIATE REMEDY

The remedy must be found in a revision of Sections 454 and 475 of the ordinances of the city. We suggest that this re-

vision should include the following:

- (a) A maximum speed limit of say 20 miles an hour.
- (b) Requirement that motor vehicles shall at all times be carefully and prudently driven in view of the traffic and other conditions of the street; and that the fact that the driver was not exceeding the maximum speed limit shall not be presumptive evidence that he was driving in a careful and prudent manner.
- (c) Requirement that motor vehicles shall slow down, and if necessary stop, at street crossings, and where street cars are receiving or discharging passengers. The Callan law and the speed ordinances of Rochester have good provisions on this subject, copies of which we shall be glad to supply.
- (d) Punishment for violations of the proposed ordinance should be reasonably heavy to begin with, and cumulative; probably the courts should have the option of fine or personal imprisonment, and two or more offences ought to receive severe treatment.

V. ADDITIONAL REMEDIES.

The reckless use of city streets will probably not be fully controlled until there is some local police control over chauffeurs. In London the police commissioner can revoke the licenses of reckless chauffeurs, with the result that regulations are exceedingly well obeyed. We beg to suggest careful consideration of this point, which will probably require state legislation if it is to be adopted.

Hon. R. F. p 4

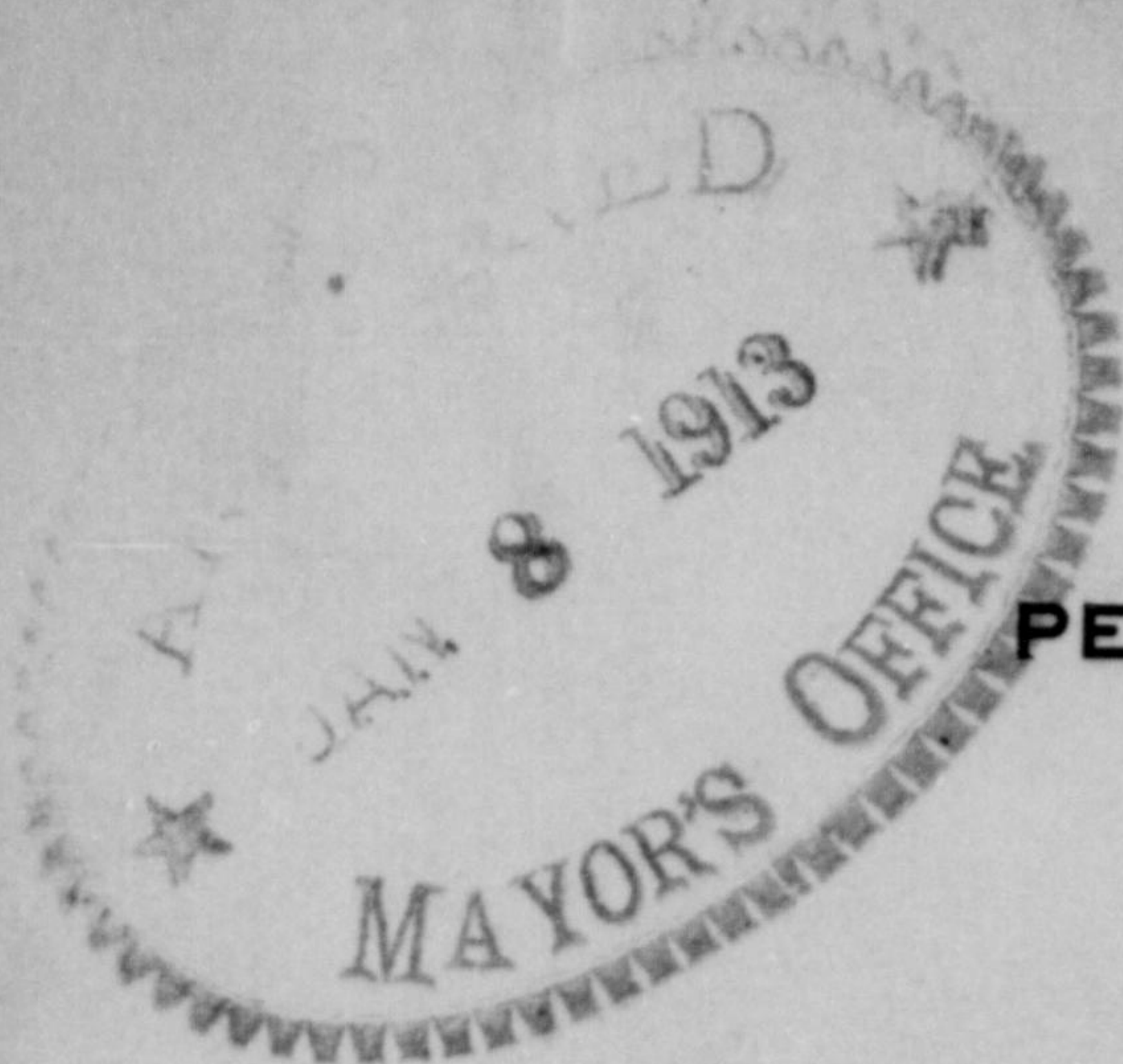
An additional means of enforcing legal responsibility would be the more adequate enforcement of the following provision of the Callan law, which provision does apply in New York City:

"Every motor vehicle during the period from one-half hour after sunset to one-half hour before sunrise, shall display at least two lighted lamps on the front and one on the rear of such vehicle, which shall also display a red light visible from the rear. The rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such manner as to render the numerals thereon visible for at least fifty feet in the direction from which the motor vehicle is proceeding. The light of the front lamps shall be visible at least two hundred feet in the direction in which the motor vehicle is proceeding."

Respectfully submitted,

THE CITY CLUB OF NEW YORK
By

Robert S. Binkerd
Secretary



PERCIVAL ROBERT MOSES. E. E.

366 FIFTH AVENUE

NEW YORK

Tuesday,
January 7th,
1913.

Hon. William J. Gaynor, Mayor
City Hall, New York City.

Dear Sir:-

If the newspaper reports of the speed ordinance are correct, I submit that it should be amended before it receives your signature.

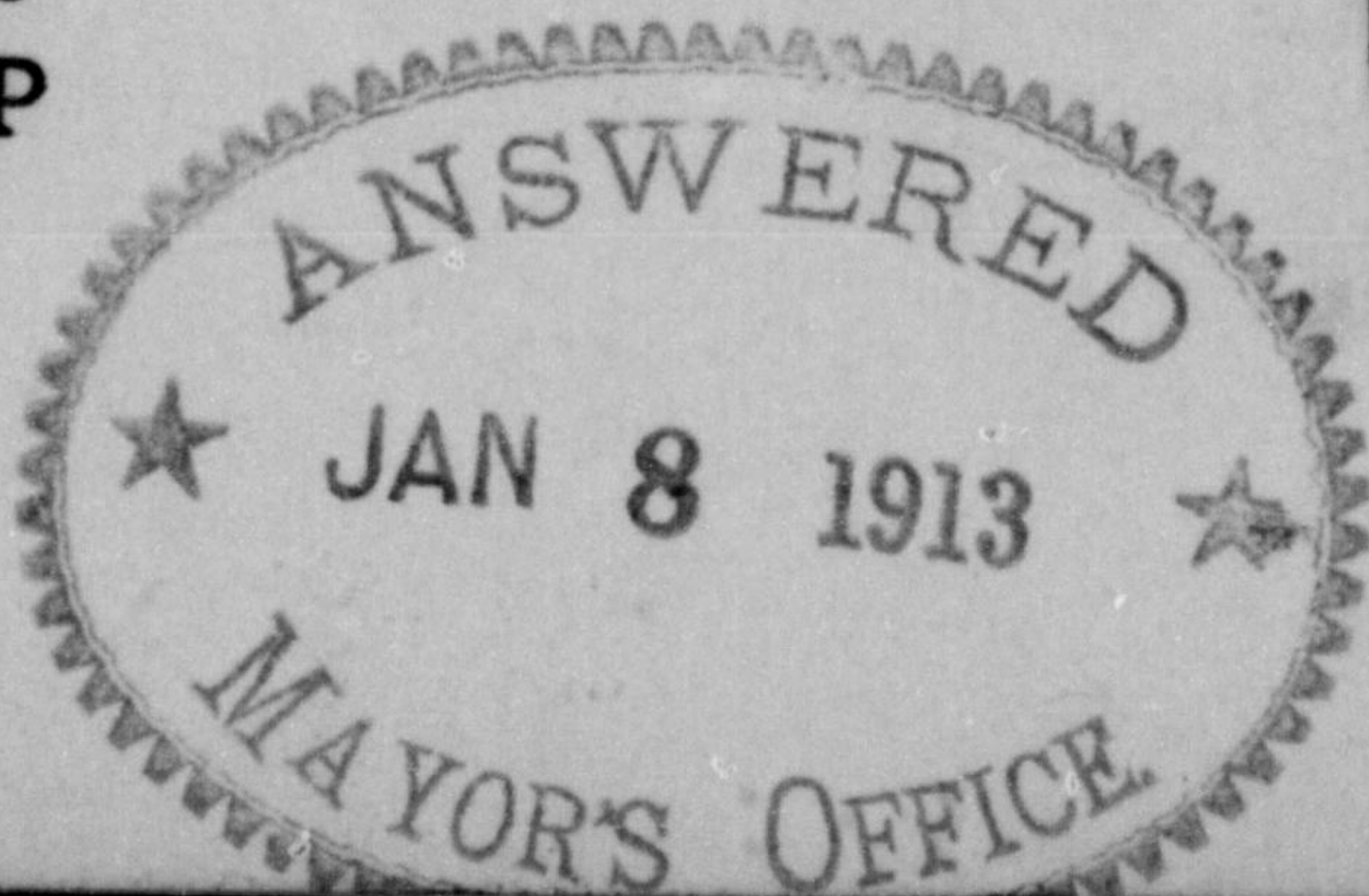
The requirement that "every motor car is prohibited from approaching nearer than six feet from a surface car stopping to discharge its passengers or from passing such a surface car until it has resumed motion", seems entirely unnecessary and must result either in total disregard of the ordinance or in driving motor cars off Broadway, 6th Avenue and the other main Avenues on to the already over-congested 5th Avenue.

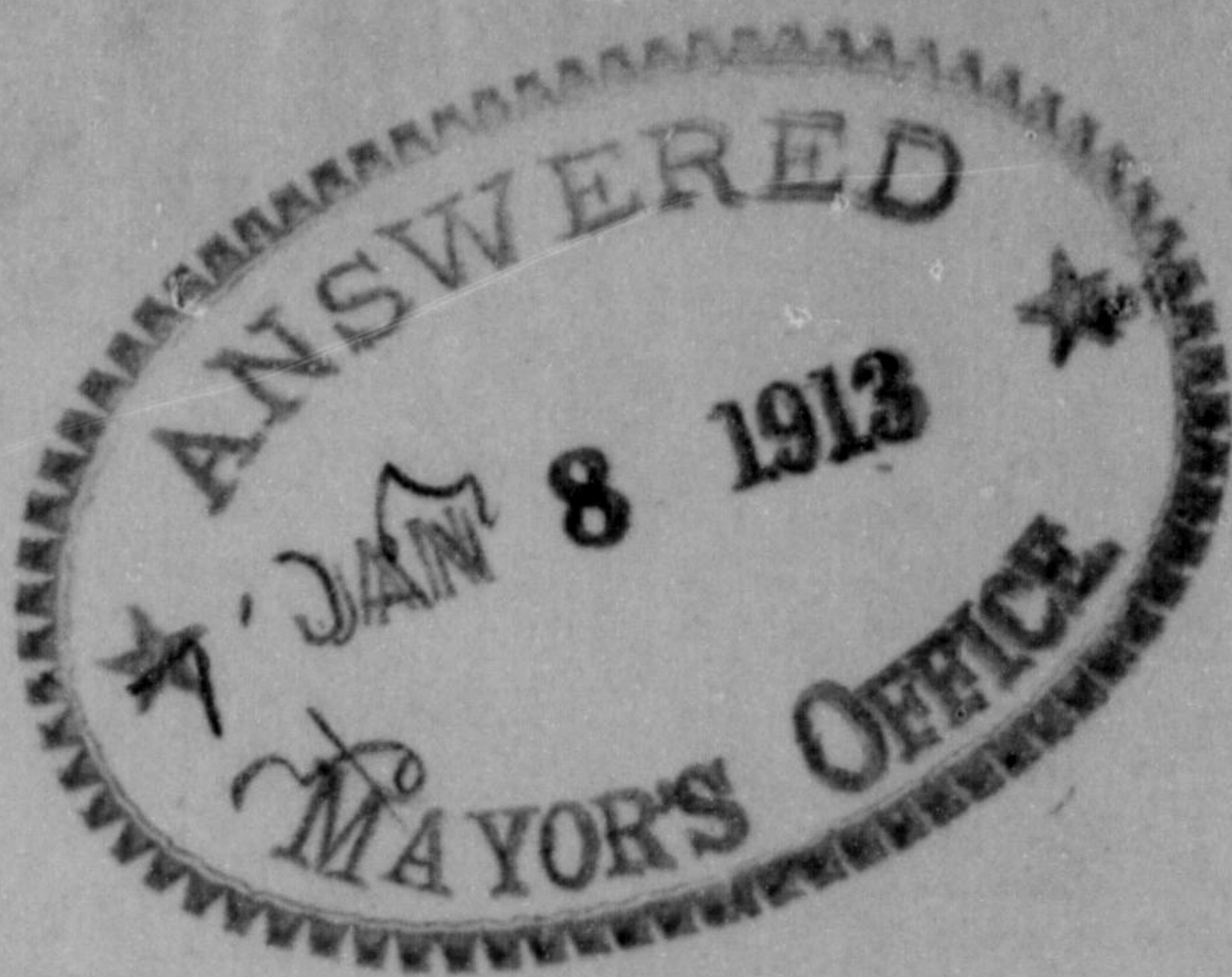
It would mean that a motor car would have to proceed at an average speed of less than the speed of a street car and in the down town section, the resulting congestion would be unbearable.

Respectfully submitted,

P. R. Moses

PRM-HJ
Dict.P





THOMAS F. KEOGH
ATTORNEY AND COUNSELOR AT LAW
90 & 92 WEST BROADWAY, NEW YORK
TELEPHONE CONNECTION

January 7, 1913.

Hon. William J. Gaynor,

M a y o r .

Dear Sir:-

In this morning's issue of the New York American that newspaper pats itself on the back for having fathered a proposed ordinance which would permit automobiles to be driven at a rate of from fifteen to eighteen miles an hour in our city.

It seems to me that a more devilish ordinance could hardly be conceived.

Under an existing ordinance limiting the speed of vehicles to eight miles an hour men, women and children are daily ruthlessly cut down by criminal joy-riders and joy-owners; and the question which naturally suggests itself is this: If under existing conditions the rights of the pedestrians are scoffed at, with the deplorable consequences reported every day in our newspapers, what will be the result with a "legal" limit of from fifteen to eighteen miles an hour?

Though the present ordinance prescribing eight miles an hour may not be applicable to automobiles, I believe it has had a deterrent effect on the speed craze. This eight mile an hour limit was enacted many years ago when our city was not half as congested with pedestrians and traffic as it is today.

It may be added that on parts of those thoroughfares upon which an eighteen mile limit is authorized by the proposed

THOMAS F. KEOGH
ATTORNEY AND COUNSELOR AT LAW
90 & 92 WEST BROADWAY, NEW YORK
TELEPHONE CONNECTION

Let. to Hon. W. J. Gaynor, #2.

ordinance -- for instance Broadway and Amsterdam avenue north of 125th street -- population is as dense as it is on the same thoroughfares where the fifteen mile limit is prescribed.

Judges and lawyers know that an ordinance cannot excuse the negligent acts or omissions of chauffeurs although the speed of the automobile be within the "legal" limit; but I fear that the ordinary type of chauffeur, with which the public is only too well familiar, will think little of negligence as long as he is anywhere near though beyond the proposed speed limit.

I trust that in the interests of our citizens whose lives and limbs are daily menaced by the "machine" craze you will veto the proposed diabolical ordinance.

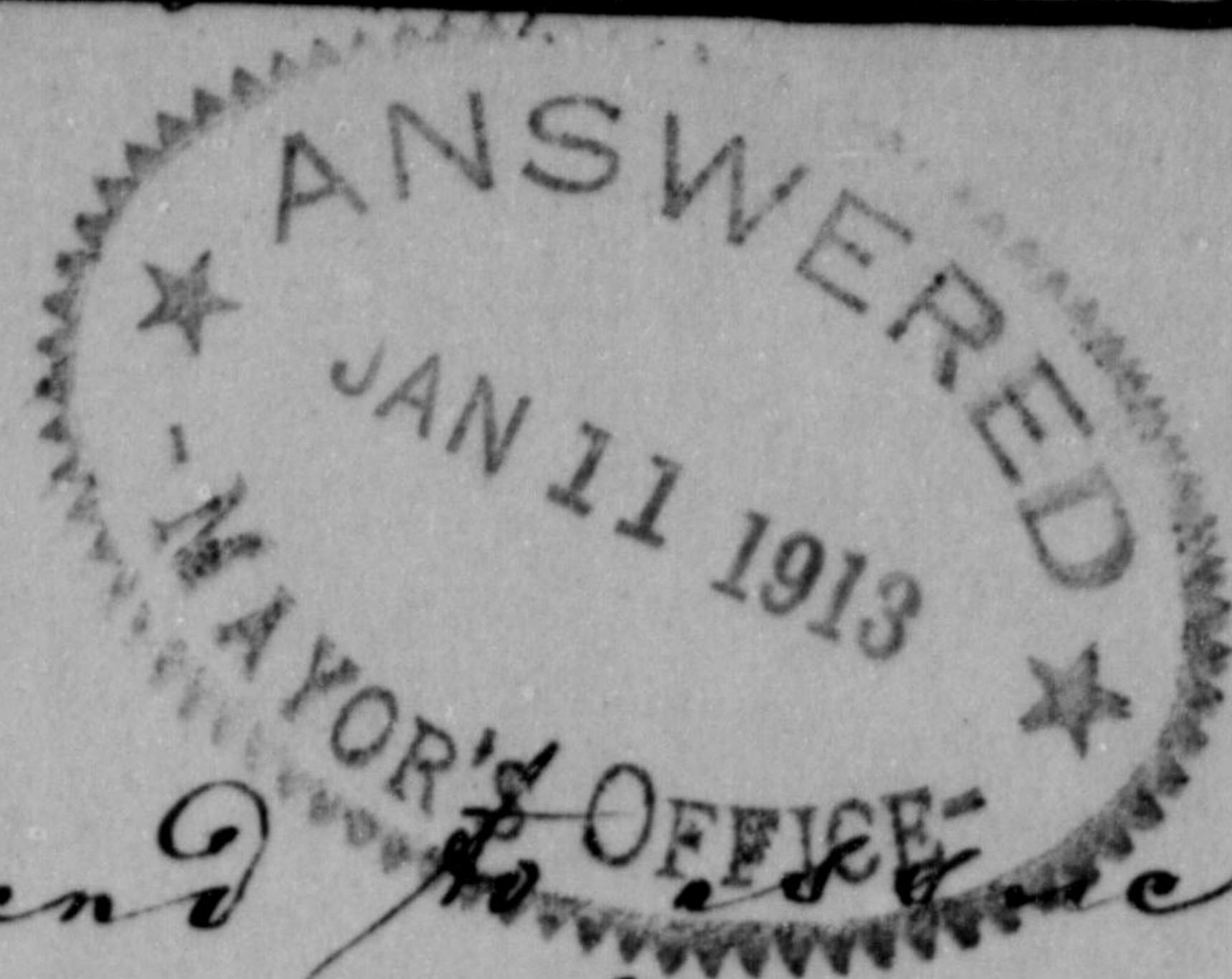
Very truly yours,

Thomas F. Keogh

LEOPOLD KUN
113 WEST 131 ST.
NEW YORK,

New York 9th January 1913.

Honorable Sir!



The Automobile Commission intend to issue an Ordinance to increase the speed from 8 Miles to 15 pr hour for Automobiles. —

Your honor have probably knowledge how many 100 of children and adults are monthly by the innocent victims of the cruel, conscious, less driunkert unmanaged Chauffeurs, now if it will be increased the speed from 8 to 15 miles, we can hope that the number of the victims will also increase of monthly 1000, than a such ordinance will than also increase the wickedness, wickedness of the murdering Chauffeurs!

And such infernal consequences to take of their responsibility were able the Commission? That is impossible!

I am sure your honor will Veto a such cruel Ordinance, than a such Ordinance were a Crime against the Safety of the people of New York

a such Ordinance were a Sentence of Death for 1000 people Monthly!

Can this Automobile Commission and even you as head of the City answer for a such Cruel Ordinance?

Your honor are the father of the City, you have the duty to watch of the safety of the City, you can not dare not allow a such cruel Ordinance.

In all European Cities is allowed a speed
of 8 Kilometers per hour,
but now was in New York allowed 8 Miles =
that is 12 7/10 Kilometers,

I beg to let not murder the people
with an Ordinance of 15 Miles, then also
must believe the people that this Ordinance
will be made of the influence of the Auto-
mobile Manufacturers.

Your Honor are known as the faithful
friend of the people of New York, and I hope
You will reject the intended Ordinance.

Your Honor

Very Respectfully

Leopold Hun

New York

118 West 131st Str

9th January 1913

To his Honor Sir William J. Gaynor
Mayor of the City
of New York

In stead of a such cruel Ordinance the Com-
mission would do better their duty

to issue an Ordinance
that all Crimes committed with Auto-
mobiles should be punished at the
the regular Criminal Law, then
would be decreased the Murders of the
people in considerable Measure!!

To the honorable

Sir William F. Gaynor

Mayor of the City

of New York

WILHELM KUN
131 ST. 131 ST.
NEW YORK,

THE CITY CLUB OF NEW YORK
55 WEST FORTY-FOURTH STREET

EXECUTIVE OFFICES

January 11, 1913

Hon. William J. Gaynor
Mayor of the City of New York
City Hall, New York City

Dear Sir:

We write to urge your approval of the motor vehicle traffic ordinance, passed by the Board of Aldermen on Monday. It marks a distinct and commendable advance in the handling of this important matter.

We do not need to call your attention to the fact that more adequate fines, provision for personal imprisonment, and cumulative penalties are necessary to enable the police and the courts to protect the use of the public streets. The wretched situation existing without an ordinance involving these provisions was forcibly brought to our attention by Chief Magistrate McAdoo.

We enclose herewith copy of our letter to the Board of Aldermen, dated April 23, 1912, and urging the passage of an ordinance on the general lines of that now before you.

Respectfully submitted

THE CITY CLUB OF NEW YORK

Robert S. Binkerd
Secretary

RSB-MC

THE CITY CLUB OF NEW YORK
55 WEST FORTY-FOURTH STREET

EXECUTIVE OFFICES

January 11, 1913

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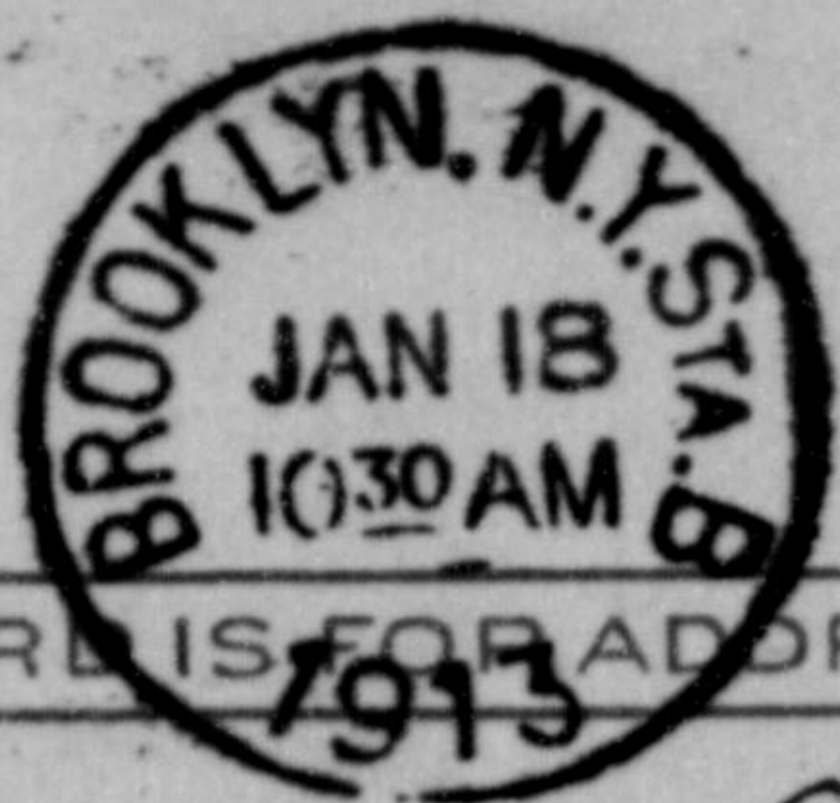
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Respectfully submitted

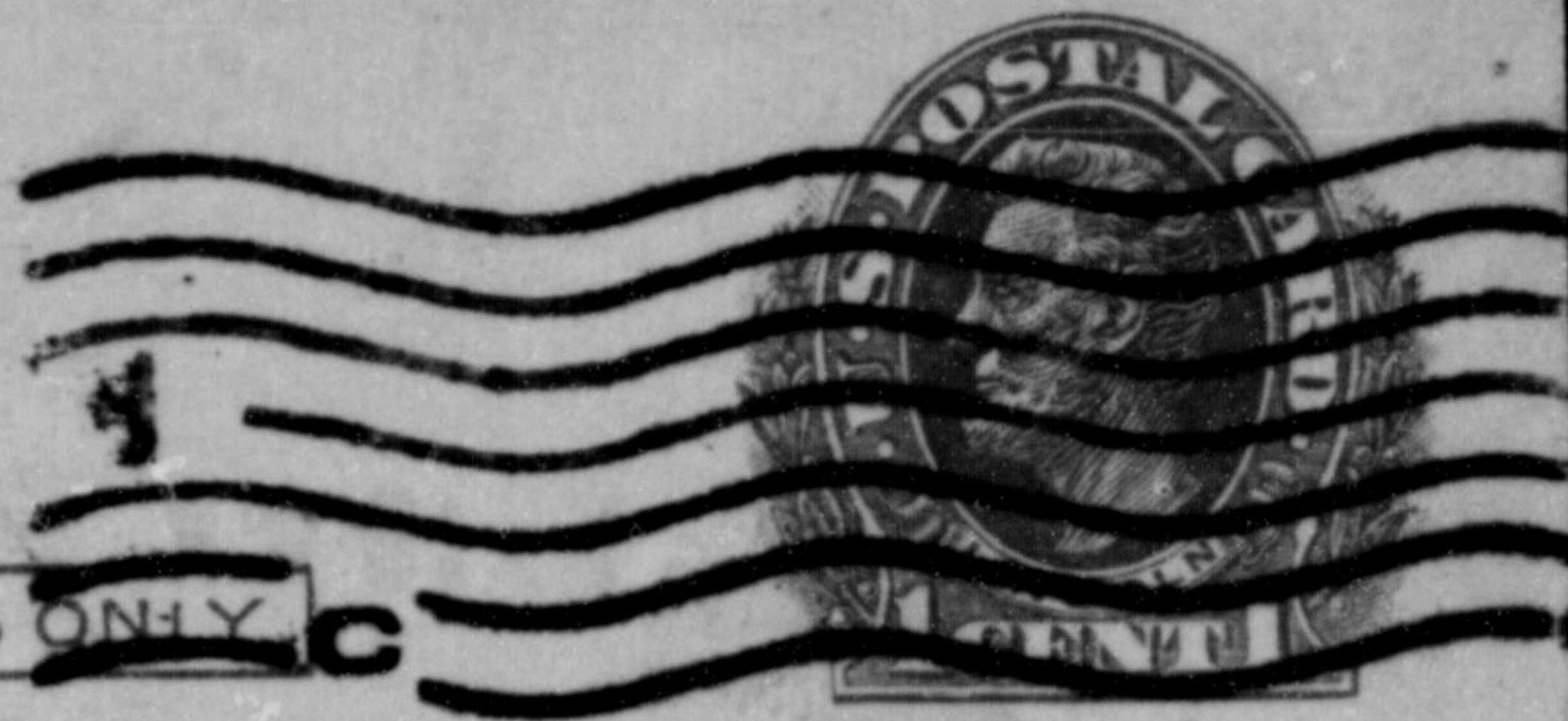
THE CITY CLUB OF NEW YORK

Robert S. Binkerd
Secretary

RSB-MC



THIS SIDE OF CARD IS FOR ADDRESS ONLY



Hon William J Gaynor

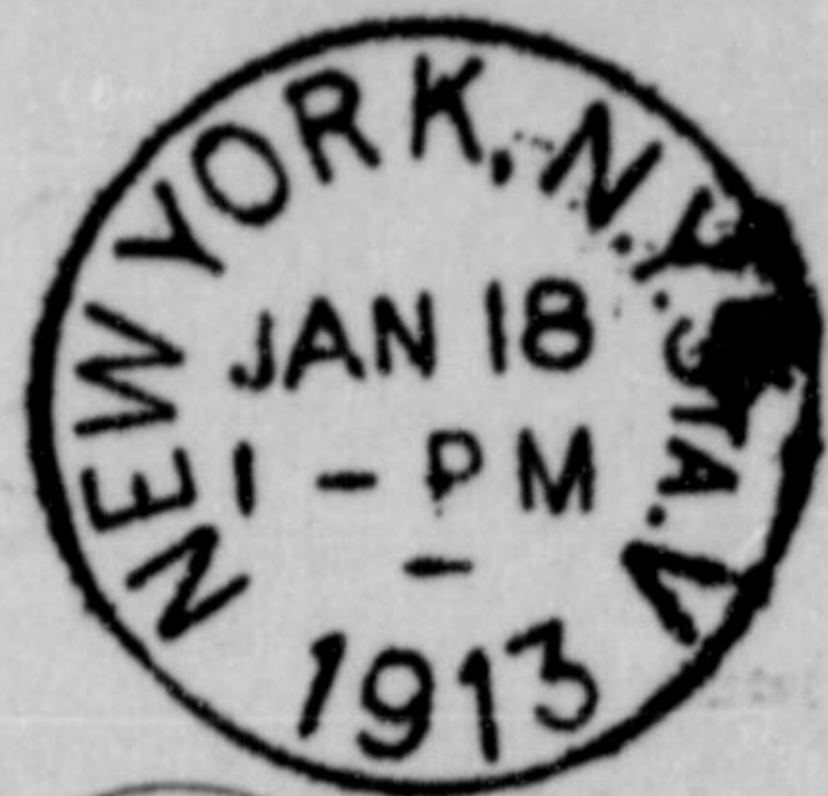
City Hall

New York

Brooklyn Jan 17-13

Hon W J Gaynor Mayor. Dear Sir having
noted that the Board of Aldermen have
increased the Automobile Speed Law from 8
to 15 Miles an hour. increasing the peril to
children and pedestrians. 8 Miles an Hour
should be the speed Limit and compel them
to stop before turning a corner and to stop
not less than 25' with a Trolley car when
taking on or letting off passengers.

Respect John J. Murren
#154 Tulester St. Bklyn



THIS SIDE OF CARD IS FOR ADDRESS ONLY

Hon Mayor Gaynor
City Hall
New York

Dear Sir 1/18/13

If you
would I have you
board of Aldermen
make a law to
compel Automobiles
and Taxicabs not to
~~drive~~ go faster than
four (4) miles an hour
in the city limits. It
~~ought to be~~ ought to be done at
once to save our children
and old people. We hope you
will look into this matter as
far as Brooklyn & New York & Long Island
City

New York, Jan 18th 13

Hon W. J. Gaynor
Mayor

Dear Sir:

I trust you will allow me to congratulate you on the decision reached by you concerning the automobile ordinance sent you for consideration. You hit the nail right on the head when you declared that regulation of the speed would not afford the necessary protection to the users of the streets for a factor, the carelessness and recklessness of drivers, entirely ignored in the ordinance, was of even greater importance.

The greatest peril to the pedestrian to my mind, as a result of observation and experience, is found in the reckless manner in which drivers turn corners in passing from one street to another at right angles. I have seen many narrow escapes at corners, a person cross-

ing the street may to some extent guard himself against
straight-away motors approaching from either direction but
he cannot divine the intention of the driver on a cross street
to make a sudden turn with imminent danger of running the
person down. To legitimate 15 miles as a safe speed for
turning a corner would be awful; it should be four miles.

I think on reflection you will find the provision requir-
ing autos to stop at street-car transfer points a most dis-
servable one. It can do no harm to the auto in the way of
delays for they can always take a side street with but few
or no transfer points. The other day I counted the automo-
biles passing thru points on 9th Ave. viz. 22nd, 23rd & 24th St. in the
space of ten minutes at each. On 22, two passed in that
time, on 23rd seventeen passed and on 24th St. only three.
Every one of those 22 machines could have reached the docks or
ferries by either the side streets with no delay or inconvenience leav-
ing the well travelled street, 23, entirely free. As it is hard to get action
on such ordinances, when revised the work should be thorough

Respectfully

W A Scott

THE NEW YORK SEWAGE DISPOSAL COMPANY

SANITARY ENGINEERS

37-39 E. 28TH STREET

TELEPHONE 3844
MADISON SQUARE

NEW YORK March 4, 1913.

Hon. William J. Gaynor, Mayor,
City Hall,
New York City,
New York.



Dear Sir:-

While I appreciate the fact that you are particularly worried at this time with many trying conditions in municipal affairs yet I wish to impose upon your good nature to the extent of urging that you insist upon an adequate automobile regulation ordinance -- one that will really protect the pedestrian.

As you are well aware, the public is constantly subjected to the intolerable recklessness of thoughtless drivers who put the entire burden of responsibility upon the man in the street.

While I fully appreciate the fact that automobiles have come to stay and that they are a very desirable means of locomotion, yet at the same time those who are forced to walk -- and they are the tremendous majority -- should be given at least an even chance for the safety of life and limb. Another point which I would strongly urge is the elimination of the high-power warning horn, such as the Claxton and other types. These have the effect of so startling the pedestrian that they are more of a menace than help.

Can you not see to it that the burden of responsibility shall be placed upon the drivers?

Very truly yours,