

S K R : By direction of the Board of Estimate and Apportionment I call your attention to Section 56 of the Greater New York Charter, reading as follows:--

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"The salaries of all officers whose offices may be created by the Board of Aldermen for the purpose of giving effect to the provisions of this act, shall, subject to the other provisions of this act, be prescribed by ordinance or resolution. It shall be the duty of the Board of Aldermen, upon the recommendation of the Board of Estimate and Apportionment, to fix the salary of every officer or person whose compensation is paid out of the city treasury other than day laborers, and teachers, examiners and members of the supervising staff of the Department of Education, irrespective of the amount fixed by this act, except that no change shall be made in the salary of an elected officer or head of a department during his tenure of office. Salaries need not be uniform throughout the several boroughs, but may, in the discretion of the Board of Estimate and Apportionment, be made to consist of two elements: First, remuneration for work done, which shall be the same throughout all the boroughs for positions of like character; Second, an additional sum based upon an estimate of the prevailing rentals and ~~living~~ expenses of living in the borough where the services rendered are performed, and which may vary in the several boroughs. The Board of Aldermen may reduce, but may not increase, any salary recommended by the Board of Estimate and Apportionment; but the action of the Board of Aldermen on reducing any salary so recommended shall be subject to the veto power of the Mayor, as provided in Section 40 of this act. In case the Board of Aldermen shall vote to reduce more than one salary, the mayor may approve the reduction of one or more salaries, and may disapprove the reduction of others. In such case the reductions ~~which he shall approve~~ he shall approve shall become effective; and as to those which he shall not approve, the recommendations of the Board of Estimate and Apportionment shall become effective unless the reductions be again passed by a three-fourths vote of the Board of Aldermen in the manner provided in Section forty of this act. All salaries as fixed on the first day of January, nineteen hundred and two, shall continue in force until fixed by the board of aldermen, as in this section provided."

In the same connection I ask your attention to the last sentence of Section 10 of the said Charter, reading as follows:

"Between January 1st and May 1st in the year nineteen hundred and two, the Board of Estimate and Apportionment shall have power from time to time to alter, modify and amend the budget for the year nineteen hundred and two; to change the titles, terms and conditions of appropriations contained therein; to add new appropriations and abolish any that may be found unnecessary; and in furtherance of these purposes shall have the power, if additional funds be required to direct the comptroller to issue special revenue bonds redeemable from the tax levy of the year nineteen hundred and three."

From the foregoing references it is clear that a most important duty is thus laid upon the city government, and it is also evident that this duty must be performed before the first of May. In order to enable the Board of Estimate and Apportionment to make the necessary recommendations as to salaries, called for by Section 56 of the Charter, you are hereby directed to submit one copy to the Mayor, as Chairman of the Board of Estimate and Apportionment, one copy to the Comptroller and one copy to the Board of Aldermen, not later than the first of March, a classification of the working force of your department, in which you shall specify in detail

Department, in which you shall specify in detail the salary proper to be paid to every officer of the department, with the following exceptions:

First: No change should be recommended as to officers whose salaries are fixed by the charter.

Second: Day laborers, and teachers, and members of the Department of Public Works are excepted.

You are directed to make a list of the Department as it is at present, and to state in detail the reasons for believing that an enlargement of the force is necessary.

In classifying the clerical force of your department, you are directed to divide the clerks into classes on the basis of Rule XIII of the United States Civil Service Commission (a copy of which is hereto appended) as that the Board of Aldermen, when it comes to take final action, shall be required to provide that there shall be in your department at least one clerk in each of the following classes, and the Board of Aldermen shall have the right to increase the salary in any department for the purpose of securing the best class of clerks to create a system which shall be the basis of the classification of the clerical force of your department.

It is to be understood that the clerks in your department who have been transferred from other departments, naturally, cannot be compared with the clerks in your department, and that the classification called for, should be based on the classification called for, and make whatever change may be necessary.

The Board of Aldermen shall have the right to increase the salary in any department for the purpose of securing the best class of clerks to create a system which shall be the basis of the classification of the clerical force of your department.

Very truly,
Your obedient servant,
[Signature]

Second:--No change should be recommended as to the enlisted force of the Police Department, the Fire Department or the Street Cleaning Department.

Third:--You will perceive, also, that day laborers, and teachers examiners and members of the supervising staff of the Department of Education are excepted.

In making the foregoing classification you are directed to assume that the working force of your department as it stood on the 31st of December, 1898, represents, theoretically, the outside force that is appropriate for your department. You are at liberty to propose a force larger, in any respect, if in your judgment it is necessary to do so; but, in every case in which you propose an enlargement of the force, you are directed to state in writing your reasons for believing that such addition is necessary.

In classifying the clerical force of your department, you are directed to divide the clerks into classes, on the bases of Rule XII of the United States Civil Service Regulations (a copy of which is hereto appended) so that the Board of Aldermen, when it comes to take final action, may be in position to provide that there shall be in your department so many clerks of the First-Class, so many of the Second-Class, and the like. In other words, it is the desire of the Board of Estimate and Apportionment to propose a plan to the Board of Aldermen which shall ensure the payment of the same salary in all departments for the same sort of work. It is also desired to create a system which shall provide for the promotion of the clerks, from class to class, on a basis of merit, and not of favoritism.

Officers presiding over departments that did not exist in 1898, or having in charge bureaus that have been transferred from other departments, naturally, cannot make the comparison with the organization of 1898, that has been asked for. They should, however, prepare the classification called for, and make whatever comparison the circumstances may allow.

You are now reminded again of the importance of submitting this information not later than the first of March. After it is received by the Board of Estimate and Apportionment, time will be necessary for the review of the situation by that Board, and for the preparation of its report to the Board of Aldermen; and time will be needed also by the Board of Aldermen, for the consideration of the report of the Board of Estimate and Apportionment. Owing to the fact that the authority of the Board of Estimate and Apportionment to readjust the budget expires on the first of May, the work must be entirely completed before that date.

Respectfully,

Seth Low,

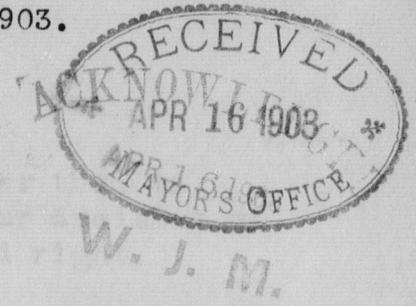
Mayor.



ALBERT A. WRAY,
LAWYER,
10 WALL STREET,
NEW YORK.

S 315

April 15, 1903.



Hon. Seth Low,
Mayor,
City Hall, New York.

Jeb

My Dear Mr. Mayor:

I will be unable to attend upon the hearing^{of a bill} which is advertised by you for to-morrow morning, and therefore beg to submit my views about the bill in this way.

The brother of one of my friends is directly concerned in the bill introduced by Senator Marshall, which comes to you as a Senate Bill to provide, ultimately, for the re-payment to certain civil employees of the city of the amounts deducted by a ten per cent cut of their salary, which was made general, as I am informed, through the civil list. The fact that my friend is interested, accounts for my having what little information I have; but he was unable to give me the definite and full information concerning the bill which you will doubtless have presented to you to-morrow.

It would appear from my information that a number of civil employees under the Tammany Administration of Mayor Van Wyck, were advanced in salary for political rather than for meritorious reasons. When you took charge of the City Government, the salaries in certain directions were cut, and of course, it was impossible to make any discrimination in favor of, or against any particular employees, just as the law applies to all people alike. But as equity can be invoked to aid justice where the law itself is harsh, so this bill would seem to be directed to the equity side of the administration. I am informed that a number of employees whose salaries had not been raised, suffered a loss in common with those whose salaries had been raised. The men whose salaries had been raised, still receive more than they were receiving before; whereas, those whose salaries were not raised before the cut, receive much less than they did before.

If my information is correct, the provisions of the bill, would, without any question, appeal to your sense of justice, and I would then have no doubt but that you would approve the bill. If this information is not correct, it can be easily ascertained from the officer of your administration having charge of these matters if it is not presented on the hearing.

(To - Hon. Seth Low, Mayor) -2-)

I have no other interest in the matter than to call your attention to these things knowing that your decision on the matter, will be, what you believe to be just and right.

I am,

Respectfully yours,

Dictated by A.A.W.
L.

Albert A. Wray.

GEO. W. BRUSH, M. D.
462 OCEAN AVENUE,
BROOKLYN, N. Y.

5315

Telephone, 499 Flatbush

OFFICE HOURS:
8.00 to 9.30 A. M.
1.30 to 2.30 P. M.
6.00 to 7.00 P. M.

April 15th 1903

Hon Seth Low,
Dear Sir,

360



Senate bill no. 315 introduced by Senator Marshall is one that I hoped to be able to appear before you tomorrow morning and advocate your approval of. I have no personal interest in it but the bill is permissive and empowers the Board of Estimate to correct what appears to me an injustice in cutting down small salaries where in many instances larger ones have been increased. I do not as a taxpayer complain of the increase for I think as a rule our public servants are too poorly paid. The men affected by this bill are those receiving salaries of fifteen hundred dollars or less. and I believe the bill is just and proper. I enclose a list of names of men I happen to know and the amounts which have been deducted from their salaries.

Very Sincerely Yours
Geo. W. Brush.



LIST OF VETERANS, VETERAN FIREMEN, ETC., IN
THE DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY,
BOROUGH OF BROOKLYN,
WHOSE SALARIES WERE REDUCED ON MAY 1, 1902.

---O---

Name	Residence	Title	Salary on Jan. 1/02	Salary on May 1/02	Amt. of Reduction
Edw. E. Underwood	220 E. 12 St.	Clerk	\$2200	\$1800	\$400
M. J. O'Donoghue	111 Henry St.	Cashier	2500	2270	230
Wm. R. McGuire	527 Will'ghby Av.	Asst."	2500	2300	200
Andrew M. Dunbar	181 Herkimer St.	Clerk	1400	1350	50
Chas. O. Davis	438 Prospect Pl.	"	1400	1200	200
Edw. C. Collier	439 - 1st St.	"	1250	1200	50
Wm. F. McClure	1232 Sterling Pl.	"	1250	1050	200
Isaac F. Bates	283 Clarkson St.	"	1250	1050	200
F. E. Haskins	767 Washington Av.	"	1250	1050	200
Thos. A. Carroll	1542 Park Pl.	"	1200	1050	150
Sidney C. Smith	302 Clinton St.	"	1200	1050	150
Francis W. Judge	479 Herkimer St.	"	1200	1050	150
Harry H. Beadle	320 Union St.	"	1200	1050	150
William H. Mott	Richmond Hill, L.I.	"	1200	1050	150
Dan'l D. Comes	500 Raneek St.	"	1200	1050	150
Gustav Imroth	699 Sackett St.	"	1000	900	100
Fred'k Vass	120 Oak St.	"	1000	900	100
Chas. H. Ramsden	629 Pacific St.	Ins. Meters	1200	1000	200
J. J. Hulbert	104 Grant Av.	Ins. L. & E.	1200	1000	200
J. W. Walker	55 Johnson St.	"	1200	1000	200
			\$27800	\$23850	\$3950

A reduction of 14% on gross amount after the Commissioner had stated in the public press that he had already made a reduction of 16% in his budget.

A 267

RECEIVED
APR 25 1903
MAY 1 1903

4 WARREN STREET.

ACKNOWLEDGED
APR 25 1903

New York, April 24, 1903.

W. J. M.

Hon. Seth Low,

Mayor City of New York,

City Hall, New York.

My dear Mr. Mayor :--

I write you just a line to urge you to approve of a bill which has just passed Legislature entitled "An Act to Amend the Greater New York Charter, in relation to the Compensation of the Chaplains of the Fire Department."

I, personally, know of the great amount of good that these Chaplains are accomplishing and the influence which they are wielding, especially in the Borough of Brooklyn, and the compensation proposed of One thousand dollars a year is little

enough for the time and work which is
given by them.

Hoping you will consider the
matter favorably, I remain,

Yours very respectfully,

Chas. F. Hoffman.

New York, April 30th, 1903.

To Hon. SETH LOW,

Mayor of Greater New York.

Dear Sir:

Believing that the status of the women employed in the Department of Corrections should be fixed by law, and that fair compensation should be paid for their services, I most earnestly request that you give your approval to Assembly Bill No. 1774, entitled "An Act to Amend the Greater New York Charter, relative to the Department of Corrections; matrons."

Yours very respectfully,

William C. Kramer

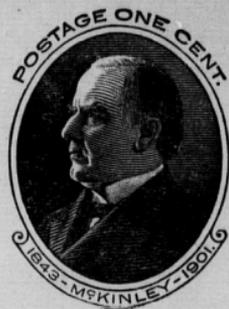
Warden of St. Augustines Catholic Jail, Parish



THE SPACE ABOVE IS RESERVED FOR POSTMARK.

POSTAL CARD.

THE SPACE BELOW IS FOR THE ADDRESS ONLY.



Hon. SETH LOW, Mayor,

City Hall,

New York City.

TELEPHONE NO. 1414 MAIN
TELEPHONE, GARDEN CITY NO. 44
OFFICE HOURS
WEDNESDAYS & FRIDAYS 2-4 P. M.

BISHOP'S OFFICE
THE DIOCESAN HOUSE
170 REMSEN STREET
BROOKLYN, N. Y.

A 267



My dear Mr. Linn

yes

The Rev. H. A. Wandel, one of the
clergy of St. Devise of Long Island, and a
Chaplain in the Fireman Service of Brooklyn
has told me of the Chaplain Salary Bill
which is to come up before you on Monday,
and has asked me to express to you my
hope that you will be able to approve the
bill. I have a high opinion of Mr. Wandel
and I also think highly of the moral
influence of a Chaplain in a service -
Their work will be helped and their
position strengthened if a Bill is passed.

Trusting that you permit me this
expressing of approval, I am,

most truly yours

By signing you
Frederic Bergson

April 20 1903



May 1, 1903.

Hon. Seth Low,
Mayor of the City of New York,
Dear Sir,

I regret that
absence from the City will prevent
me from appearing in person before
you on the hearing to be held on
Tuesday next, the 5th inst., on
the Bill to increase the salaries of
Municipal Court justices in Man-
hattan, Bronx & Brooklyn Boroughs.
I, therefore, take the liberty of
addressing you in writing in
behalf of the bill, which I
regard as a most meritorious
~~one~~ and which I most heartily
approve, both as a lawyer and as a



Citizen. The duties imposed upon these judges are extremely arduous and extremely important. While the amounts involved are in most cases small, they are by no means trifling to the litigants, who are mainly of the poorer classes. - The questions of law arising in these cases are frequently of great complexity and importance and require no small amount of legal learning and acumen for their correct decision. - As the decision of the judge is in the vast majority of cases final - no appeal being taken from his



decision by the defeated party, -
the importance of the functions
performed by these judges is
apparent. - It is most desirable
that a high class of men should
be encouraged to hold these
positions and that salaries
should be provided adequate
to compensate such men for their
time and labor. - Especially is
this true in view of the fact
that these judges are prohibited
by law from practicing their
profession and are thus made
entirely dependent upon their
judicial salary for their livelihood. The present salary of



\$6000 a year is in my judgment quite inadequate to the importance of the office and I am surprised that it has been possible to obtain as competent lawyers to accept the office as now occupy these positions.

Not only have these judges jurisdiction to try litigated cases involving amounts up to \$500; but they are clothed with jurisdiction, unlimited in amount in cases between landlord and tenant, - known as summary proceedings, - a class of cases frequently involving most im-



important questions of law as to
the ^{interpretation} ~~construction~~ of leases and
the meaning of covenants,
and in all cases calling for
a wise, ~~and~~ discreet, firm
and impartial administration
of this ^{body of the} law which affects
the rights and the homes of
rich and poor alike.

The labor imposed upon these
Judges is most onerous and
unremitting. They have no vaca-
tions and few holidays. - I
believe there are no other judges
who are called upon to labor
so incessantly.

I sincerely trust that the



bill now under consideration
will become a law. - I believe
it is a just and righteous
measure and in the interests
of the community as well
as an act of fairness to hard-
working and at present
underpaid public servants
who are performing faithfully
duties which are of the
highest importance to the
welfare of the people.

Yrs respectfully,

Wm B. Harublowers.

91937.

file



May 2, 1903.

Hon. Seth Low,
Mayor of the City of New York,
New York.

Dear Sir:-

IN RE ACT TO COMPENSATE CITY MAGISTRATES ELECTED IN
BROOKLYN IN NOVEMBER 1901.

This is a permissive bill authorizing the Board of Estimate and Apportionment to pass upon and allow in their judgment, claims of City Magistrates elected in Brooklyn in 1901 pursuant to Section 1392, Greater New York Charter.

The persons interested are, William Brennan, Charles S. Devoy, Walter L. Durack, Raymond V. Ingersoll, William Kramer, J. Lott Nostrand and William Watson.

Durack and Ingersoll were elected in the Borough at large and the others in congressional districts under terms of the charter as amended.

Each of the claimants entered into the election contest in reliance on the constitutionality of the act and in perfect good faith; the magistrates then sitting having been appointed to fill an interregnum like wise were nominated and, with the exception of Magistrate Tighe, each was defeated.

Then came the litigation extending in time from December 30th, 1901 to about June 1, 1902 which resulted finally (by a divided court in each appellate tribunal) in finding the section above quoted unconstitutional and restoring to office the men defeated

S. L.

in the election.

From January 1, 1902 to about June 1, 1902, the above named persons acted as and discharged the duties of City Magistrates for which service none of them received any pay or compensation whatsoever; each of them expended in and about the election, large sums of money ranging from about \$150.00 in the case of one to upwards of \$2500.00 in the case of another of the elected men.

Besides this, each of the above named incurred and paid considerable sums as Counsel fees and for printing and the like.

By order of the Appellate Division the sitting magistrates above named were directed to retain their places and discharge their duties until the final determination of the matter in the Court of Appeals, which was done by the elected men.

The purpose of the bill is to reimburse these elected magistrates in such sums and for such outlay as in view of all the circumstances justice requires, as the same may be determined by the Board of Estimate and Apportionment of the City or, in no amount of money whatsoever should that be the final determination of that honorable body.

In view of the fact that the merits of the claims in themselves may not be pertinent at this moment, that branch of the subject will not be discussed at length, we merely confine ourselves to the statement that in our opinion, the good faith of the whole matter coupled with the fact that services were rendered and expenses necessarily incurred on behalf of and for the City, should make out such a case for favorable consideration at your Honor's hands that

S. L.

an opportunity should be given for the presentation of what we surely believe is a sound contention in morals, and as we are advised, equally sound in law.

It might be added that the sum of \$12000,00 was actually appropriated by the City for 1902 no part of which was used and a like sum contemplated for each year thereafter as a fixed charge which has not been expended, which facts we urge as having an equitable bearing on the question.

We most respectfully ask that your honor accept the bill on behalf of the City.

I beg to subscribe myself on behalf of the gentlemen above named.

Most Respectfully,

Walter L. Duray

HENRY C. DECK, PRESIDENT,
767 Bushwick Ave.

ERNEST F. DISTLER, TREASURER.

FRANCIS A. DECK, SECRETARY.

HERMAN SCHEIDT, FINANCIAL SEC'Y.

JOHN G. ROTH, RECORDING SEC'Y.

GEORGE BRUSH, SERG'T-AT-ARMS.

DR. W. J. SCHILDGE,
CHARLES NAEHER,
HENRY BATTERMANN,
JOHN C. SCHUMANN,
LUDWIG NISSEN,
EDW. H. M. ROEHR,
CHAS. T. HARTZHEIM,

VICE PRES.

51192
GERMAN-AMERICAN

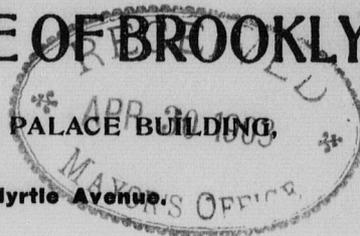
MUNICIPAL LEAGUE OF BROOKLYN

OFFICE: ROOM 19, MYRTLE PALACE BUILDING,

Corner Broadway & Myrtle Avenue.

Chairmen of Committees:

EXECUTIVE COMMITTEE, HENRY WEISMANN.
ADVISORY, CHARLES VOGT, JR.
WAYS AND MEANS, NIC. I. FLOCKEN.
FINANCE, CARL A. EVERTZ.
PRESS, BELA TOKAJI.
ORGANIZATION, WM. LIEBERMAN.



Brooklyn, Ap. 30 / 1903

Joe
Hon. Seth Low,
Mayor, City

My dear Sir: - Permit me to express
my approval of the Bill now before
you, to increase the salaries of the
Justices of the Municipal Court.

Representing as I do the middle
and working classes among the German-
American part of our population and
having during my work for the Legal Aid
Society had many opportunities to deal
with these Justices, I feel that every
effort should be made to lift the poor
man's Court on the highest level attainable
and this can only be done by paying
good salaries, so that the Justices

HENRY C. DECK, PRESIDENT,
767 Bushwick Ave.
HERMAN SCHEIDT, FINANCIAL SEC'Y.

ERNEST F. DISTLER, TREASURER.
JOHN G. RÖTH, RECORDING SEC'Y.

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GERMAN-AMERICAN

MUNICIPAL LEAGUE OF BROOKLYN

OFFICE: ROOM 19, MYRTLE PALACE BUILDING,

Corner Broadway & Myrtle Avenue.

I have no cause to devote their energies to any but the work of the Courts. Good salaries will also invite the better element of the profession to seek these honors.

Compared with other Courts the work in these Municipal Courts is most arduous, the justices sitting all year and under the new Act of 1902 their jurisdiction has been so extended that their time is entirely taken up with trying cases, hearing motions and after adjournment disposing of briefs and looking up authorities. I consider their case a very meritorious one and believe that the public interest will be well served by your approval of this bill.

With best wishes for your success
believe me
Yours Very Truly
Henry Weismann

S. 1192

ERNEST HALL
COUNSELLOR AT LAW
62 & 64 WILLIAM STREET
NEW YORK
TELEPHONE 1357 JOHN

RECEIVED
ACKNOWLEDGED
MAY 3 - 1903

May 1st, 1903.

Honorable Seth Low,

Mayor.

My dear Sir:

I have been requested to write you upon the subject of the bill now before you, known as Assembly Bill Introductory No. 74, to increase the salary of Municipal Court Justices in Manhattan, Bronx and Brooklyn, from \$6000. to \$8000. per annum.

I have had but little practice in these courts since consolidation, but I did have a very important series of litigations, involving many thousands of dollars, and very nice and novel legal questions. I had such confidence in at least one of the Municipal Courts as to bring one of the actions involving a small amount in that Court as a test case.

The law governing the cases was settled in that Court, and has in every case been affirmed on appeal by the Supreme Court in the Appellate Term and Appellate Division. The parties to these litigations were thus saved years of delay and a very large amount of expense.

While in the Supreme Court I had many opportunities to refer to the work being done by the Appellate Division in hearing and

less than 20,000. There is now a population of about 250,000.

ERNEST HALL
COUNSELLOR AT LAW
62 & 64 WILLIAM STREET
NEW YORK
TELEPHONE 1397 JOHN

deciding appeals from the Municipal Courts and have had many conversations with the Justices of the Appellate Term. They say with one voice, that the importance of the matters decided by the Municipal Courts and the manner in which they are tried and decided, is worthy of all commendation.

I am quite convinced that considering the salaries paid to Justices of other Courts and the volume and character of the work performed, the salaries paid to the Municipal Justices are not adequate and should be increased as provided:

I am quite sure that there are some of the Justices who could not earn the amount of the salary, in practice at the bar, but I am equally sure that any man who can perform the duties as they should be performed could, with the same amount and quality of work, earn a good deal more. I am satisfied from observation and discussion with members of the bar and judges, that most of the Justices are men of ability and integrity and perform their duties acceptably.

The jurisdiction of the Courts has been greatly increased, and the labor has doubled without any increase of salary.

Prior to 1874 there were ten Justices of the Peace in the territory now covered by one Municipal Court in Bronx Borough, and they all earned a living. There was then a population of less than 20,000. There is now a population of about 250,000.

ERNEST HALL
COUNSELLOR AT LAW
62 & 64 WILLIAM STREET
NEW YORK
TELEPHONE 1357 JOHN

The Justice is overworked; he is a man of exceptional ability and is not adequately paid.

Your Honor knows better than I can tell, the volume of work now done in these courts with their extended jurisdiction; some of the Justices do more work than others, but of course, there can be no distinction.

I am not much in favor of raising salaries of the incumbent of any office who by accepting an appointment or election at a fixed compensation has made a quasi contract with the City to accept the salary provided, but I do think that if any exception is to be made it should be in the office under consideration.

Very truly yours,

Ernest Hall

EDGAR J. LEVEY,
PRESIDENT AND GENERAL MANAGER.
ABRAHAM R. LAWRENCE,
COUNSEL.

JOHN D. CRIMMINS,
CHARLES T. BARNEY, } VICE PRESIDENTS.

CYRIL H. BURDETT,
HENRY R. STEELE, } SECRETARY,
TREASURER.

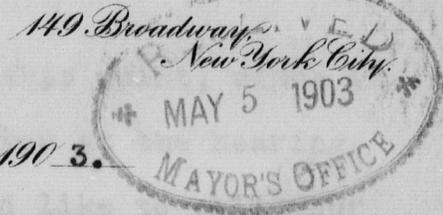
S1192

THE TITLE INSURANCE COMPANY,
OF NEW YORK.

5th 11

Capital and Surplus \$1,500,000.

BROOKLYN OFFICE
203 MONTAGUE ST



May 4, 1903.

file
Hon. Seth Low,
Mayor,
City Hall,
New York City.

Dear Sir:

I had meant to appear before you at the hearing to-morrow morning in regard to the bill to increase the salaries of Municipal Court Justices, but as I may be prevented from doing so, I desire to express the hope that this bill will receive your approval.

I believe that these justices are the only officers of our local judicial system who are underpaid. The fact that the amounts involved in Municipal Court cases are generally small, does not relieve the justices from the great labor involved in handling a very large mass of litigation, nor can they, with justice to the poor litigants who appear before them, escape the necessity for careful and painstaking attention.

I think most lawyers will agree that there is no comparison to be made between the salary which is earned by the Municipal Court Justices and the salary which is paid the City Magistrates, who, in point of fact, actually receive more money. I have heard such general commendation of this bill that I do not

consider it necessary to dwell at length on this point, since it will undoubtedly be fully elaborated before you at the hearing. There is, however, one point to which I would like to call your attention:

Ordinarily, it should be a fatal objection to bills of this character, that they violate the principle that the salaries of elective officers should not be increased during the term for which they are elected. This rule, like all others, however, is subject to exceptions, and the exception in this case seems clearly to lie in the fact that since the present incumbents assumed office, their duties have been increased by legislative enactment to an extent which could never have been contemplated when they took office. I refer especially to the New Municipal Court Act of last year which, among other things, conferred upon these courts new jurisdiction in actions against executors and administrators exceeding fifty dollars; actions against the City in tort; actions on undertaking given in Courts of Record and on judgments of Courts of Record.

In determining the question, what may be the proper compensation for these justices, I hope you will bear in mind the fact that they are denied by statute from adding to their present inadequate compensation by private practise, although at one time they received a salary of ten thousand dollars per annum and were permitted to practise, at a time, moreover, when the work of the courts was much less than it is now, and the cost of living not

S.L.

#3.

so high.

Very truly yours,

A handwritten signature in cursive script, appearing to read "E. J. Lucey". The signature is written in dark ink and is positioned to the right of the typed phrase "Very truly yours,".

22 WILLIAM ST.

N.Y., May 5, 1903.

My dear Judge Fallon:-

My engagements this morning will prevent my personal attendance at the Mayor's office, where I had intended to present my views in regard to the bill to increase the salary of the Municipal Court Judges.

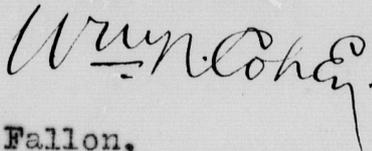
I am not familiar with the work done by all of the judges. I do know that some of them work hard and satisfactorily all the year round. I know there is enough to do, if properly done, to make all of them work hard all the year round. Such work,

I think, is not adequately compensated by the present salary.

Moreover, I believe that an increase in salary would have a tendency to bring a high class of professional men to the Municipal Courts in future, and this, I think, is an end which ought to be sought by everyone having the interests of the city at heart.

You are at liberty to submit this letter, if you see fit, to Mayor Low.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Wm. N. Coney". The signature is written in dark ink and is positioned below the typed name.

Hon. Joseph P. Fallon,

New York City.

J. Homer Hildreth,
ATTORNEY & COUNSELOR AT LAW,
280 BROADWAY, (STEWART BLDG.)
BOROUGH OF MANHATTAN. NEW YORK.
TELEPHONE 1085 FRANKLIN.

file

S 1192

New York, May 5th 1903.,

RECEIVED
MAY 5 1903
MAYOR'S OFFICE

Hon. Seth Low
Mayor of the City of New York.

Dear Sir:-

As I am prevented by Professional duties from attending in person before you on the hearing to day, upon the legislative bill to increase the salaries of the Justices of the Municipal Courts in the City of New York, permit me to submit the following facts, which have come to my knowledge, in favor of the measure:-

For the year 1902, there was returned to the City Chamberlain as the result of business done in all of said Courts over \$88,000.# Of this amount upwards of \$3,000. was contributed from said Courts located in the Borough of the Bronx. The volume of business is indicated by the fact, that there were issued out of said Courts in the year 1902, over 6000 paid and free summonses; this does not include summary proceedings.

Of the above over 1700 were issued out of the Courts located in the Borough of the Bronx alone. There were over 10,000 trials and inquests had and taken in said Courts, of which over 1500 are to be credited to the Courts in the Borough of the Bronx.

As you are well aware, the jurisdiction of said courts have been increased by the "Municipal Court Act", and their method of procedure im-

J. Homer Hildreth.

ATTORNEY & COUNSELOR AT LAW.

280 BROADWAY, (STEWART BLDG.)

BOROUGH OF MANHATTAN.

NEW YORK.

TELEPHONE 1085 FRANKLIN.

To, Hon. S.L.

May 5th 1903 (continued)

proved. A better class of Justices at present preside therein, and it is desirable in the interests of the general public to attract to said Courts honest and capable men.

Upon the facts and for the reasons herein stated, I am in favor of increasing the salaries of said Justices.

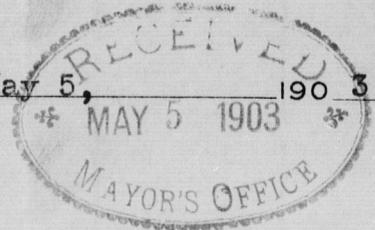
Yours very respectfully,

J. Homer Hildreth

Residence, 719 East 138th Street,
Bronx.

LAW OFFICES OF
KURZMAN & FRANKENHEIMER,BROAD-EXCHANGE BUILDING,
SEVENTH FLOOR,
25 BROAD STREET.FERDINAND KURZMAN.
JOHN FRANKENHEIMER.
SEYMOUR P. KURZMAN.
ABM. L. GUTMAN.
NATHAN OTTINGER.
STEPHEN B. ROSENTHAL.

NEW YORK, May 5, 1903.

Hon. Seth Low,
Mayor &c.

Dear Sir:-

Owing to a professional engagement in the Court of Appeals, I shall be unable to attend the hearing before you to-morrow on the bill to increase the salary of Municipal Court Justices in Manhattan, Bronx and Brooklyn. I am heartily in favor of the measure. The present salary of \$6,000. is clearly inadequate. It is no more than was paid to the four District Court Justices who were given the privilege, denied to the present Justices, of eking out their salaries by private practice. The rapid growth of the City's population would in itself have increased the work of these Courts. The recent amendment extending their jurisdiction will tend still more to increase not only the volume but also the importance of the litigations disposed of in the Municipal Courts. An increase of labor justifies an increase in compensation. I have within the last two years had occasion to try a few cases involving questions of some importance before several of the present Municipal Court Justices and the matters were disposed of with a fairness, courtesy and ability generally assumed to be limited to the high courts of record. On these occasions I was surprised to see the amount of work done by these Justices. Their calendars were crowded with cases, many of them involving nice and important questions, and the business of the Court was despatched with celerity, fairness and ability. As characteristic of the courteous spirit prevailing in these Courts, I will mention the fact that in one of my own cases the Justice sat until half past six to accommodate a witness who had to return home to Albany that night. These Courts are preeminently the poor man's Court. Any measure that will tend to increase their efficiency ought to be approved. I believe that by increasing the salaries of the Municipal Court Justices, the present incumbents will be encouraged to devote themselves still more assiduously to their work and that in the future lawyers of experience and ability, assured by the proposed increase of a fair living salary, will seek the office.

I remain,

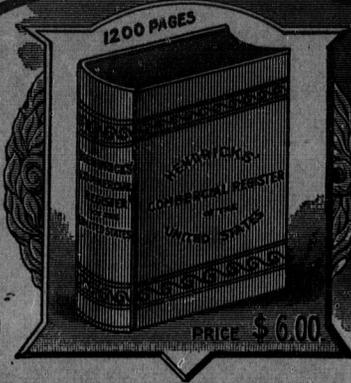
Yours respectfully,

A handwritten signature in cursive script, which appears to read "John Frankenheimer". The signature is written in dark ink and is positioned below the typed name.

HENDRICKS

EST. 1891.
PUBLISHED ANNUALLY

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a-233

New York, May 6, 1903.

ANSWERED
Hon. Seth L. Q. W.
MAY 7 1893
J. C. C. New York City.

Mayor of the City of New York,
J. C. C. New York City.

See

Dear Sir:-

As a business man, and one who has taken some interest in the good government of New York and the welfare of all its citizens, I appeal to you in favor of Senator Dowling's bill for the equalization of the salaries of Court Attendants of the General Sessions Court. I know of no more deserving men in the public service. The majority of them, to my personal knowledge, are gifted with rare intelligence and discretion; perfect order prevails in those courts through tact, good judgement, and gentlemanly though firm and courteous demeanor. They are often kept late at night with juries, and have charge of the most dangerous criminals; unlike the regular police, no pension is given them in old age. I believe they are deserving the benefits the bill provides and trust it will meet with your favorable consideration.

Respectfully yours,

S. E. Hendricks

Treas. Citizens' Union Organization,
33d Assembly District.

JAMES A. KEHOE,

ce-233

Fire, Life and Plate Glass Insurance.

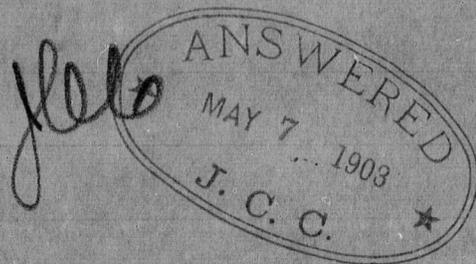
403 EAST 114TH STREET,

New York, May 6, 1903. *189*

Hon. Seth Low,

Mayor, Greater New York,

New York City.



Dear Sir:-

There is a bill before you for consideration for the increase of salaries of Attendants of the Court of General Sessions of N.Y. City which I take the liberty of urging your favorable recommendation. I know of no more worthy men employed in the departments of the City Government; intelligent, courteous, and obliging, they command the respect of all discerning men who come in contact with them. As a citizen who admires and labors for good government, good laws, and good men, I wish to add my might in advocacy of this bill.

Very respectfully,

James A. Kehoe

Memorandum for the Mayor on Salaries of Under-Sheriffs
and Assistant Deputy Sheriffs, and power to regulate them.

N.Y. Charter, Section 1583:-

"The salaries of all county officers in the Counties of
"New York, Kings, Queens and Richmond, shall,
" unless otherwise provided by law
"be fixed by the Board of Aldermen, on the recommendation
"of the Board of Estimate and Apportionment."

The provisions of law providing for the salaries in
question are:-

Chapter 523, L.1890, sec.1.:

"From and after the first day of January, 1891, the Sheriff
"shall be allowed a salary at the rate of \$12,000.00 per
"year # # # The Under Sheriff shall be allowed a salary
"at the rate of \$5000.00 per year; and each deputy of said
"Sheriff not exceeding twelve shall be allowed a salary
"of \$2500.00 per year; and each of these deputy sheriffs
"shall be allowed an assistant, to be appointed by the
"Sheriff, who shall receive a salary of one thousand dollars
"per year."

The bill now before the Mayor simply re-enacts the above
law of the state and substitutes \$6000.00 for \$5000.00 in
the case of the Under Sheriff and \$1500.00 for \$1000.00 in
the case of the Assistant Deputy Sheriffs.

William J. Quinn
Sheriff of New York County.

Memorandum for the Mayor
on Salaries of Under-Sheriffs
and Assistant Deputy Sheriffs,
and Power to Regulate them.

William J. O'Brien,
Sheriff of the County of New York

reorganized District and Justices Courts under the name of
Municipal Court must of necessity increase the volume of
business of the former courts, but nevertheless they permitted
the salary to remain the same as when the jurisdiction of the
former Courts was but \$250.00, one-half of that given to the
new, and in addition took away from the Justices the right to
practice, which privilege was enjoyed by the Justices of the
former courts. It is therefore quite apparent that the true
situation was unknown to the framers of the Charter. The
salaries of the Justices of the various local inferior courts makes
this obvious.

B R I E F
IN FAVOR OF THE BILL INCREASING
S A L A R I E S
O F
M U N I C I P A L C O U R T J U S T I C E S .

---0000000---

COMPARISON OF SALARIES AND CHARACTER OF SERVICE OF
JUDICIAL OFFICERS IN INFERIOR COURTS OF GREATER NEW YORK.

There is a surprising inequality in the compensation of the Judiciary in the local inferior courts; seemingly the figures fixed have been arbitrarily selected and cannot have been based on the quality or character of the services rendered. A comparison of the salaries and the services rendered by the justices of the various local inferior courts makes this obvious.

Let us first take the salaries, and secondly the character of the services. The Justices of the Special Sessions in the First Division (Manhattan & Bronx) are paid nine thousand dollars, and those in the Second Division (covering all the remaining Boroughs in the city), six thousand dollars per year. The City Magistrates of the First Division are paid seven thousand dollars and of the Second, six thousand dollars, except in Queens and Richmond, where it is five thousand dollars. The Justices of the Municipal Court in the Boroughs of Manhattan, Bronx and Brooklyn are paid six thousand dollars, and of Richmond and Queens five thousand dollars. It would seem that this arrangement is upon the theory of population and consequently upon supposed volume of business in the respective Boroughs. In providing for the salaries of these Justices the quality of the service to be rendered was never considered, and the idea does not seem to have occurred to the persons responsible for the law that the work of Municipal Court ~~Judges~~ Justices is far more difficult and onerous, and that in addition the increase of jurisdiction of the

only as a rule with the criminal class and the business before reorganized District and Justices Courts under the name of them being substantially routine, requiring no great legal Municipal Court must of necessity increase the volume of training and no research of the law.

business of the former courts, but nevertheless they permitted the Special Sessions consists of six Judges, one of which number by a system of rotation is sitting continuously in the Childrens' Court, three of whom sit at a time in new, and in addition took away from the Justices the right to the Sessions, usually from ten to four o'clock, rarely later, practice, which privilege was enjoyed by the Justices of the former courts. It is therefore quite apparent that the true judge is not required to sit more than seven months in the situation was unknown to the framers of the Charter. The salaries of the Municipal Court judges in Manhattan, Bronx and Brooklyn is one thousand dollars a year less than that of the Magistrates in Manhattan and Bronx, but upon what theory it is made so, it is difficult to discover, if any knowledge of the vast difference in the character and quality of the work of the two courts was possessed by the framers of the law, for based on the character of the work it is safe to say that if the salaries fixed for the Justices of the Special Sessions in Manhattan and Bronx is a fair compensation that any less salary for a Municipal Court Justice is an unfair discrimination, and that if the sum fixed for compensation for Magistrates is fair and just then anything less than double that sum for a Municipal Court Justice is an injustice for the following most excellent and potent reasons:

The character and quality of ^{the work of} a Municipal Court Judge has no comparison in reality with that of the Justices of either of the other two inferior courts, without reflection in any sense upon the ability and legal learning of those Justices, for the Municipal Court Justice must needs carry the business of his court into his home, away into the night and holidays too, while in the other courts mentioned the work of the Justices ends on leaving the bench, which is not unusually early in the day; they have no weighty legal problems to solve before deciding or disposing of the cases that come before them and their labors for their salaries cease when they leave their respective court-rooms, they dealing

only as a rule with the criminal class and the business before trials now had in these courts the parties are represented by them being substantially routine, requiring no great legal counsel, and in at least 90% of these trials are submitted on training and no research of the law.

The Special Sessions consists of six Judges, one of which number by a system of rotation is sitting continuously in the Childrens' Court, three of whom sit at a time in the Sessions, usually from ten to four o'clock, rarely later, and by reason of their number so arrange their shifts that each judge is not required to sit more than seven months in the year (and there are bills now before the Mayor increasing the number of the other inferior courts mentioned, and the Appellate Division Reports tell a story of the intricate and complex problems these courts are called upon to determine, a large percentage of them new and novel.)

It must be borne in mind that with the abolition of the Superior and Common Pleas Courts in Manhattan and the City Court in Brooklyn, this large commercial community has Sunday mornings for a short while of necessity. Not so in the outside the Supreme and City Court in Manhattan and the Supreme and County Court in Brooklyn, only the Municipal Courts and, in which, court must be held each week of the year and where no vacations of any kind are provided and where in cases of illness or inability of a Justice to hold his court occurring, another is obliged to do his work and his own, thus doubling the duties of the substitute, for both courts must be held or the public interests suffer, and where too, every class of person is met and every ingenuity of the astute lawyer is invoked to compel or defeat a money payment or gain an advantage in a financial way for his client, resulting in all sorts of abstract legal questions requiring hours and sometimes days on the part of the Justice in the examination of the evidence and of authorities and in carefully weighing both the law and the facts before his decision is rendered, and this is essential to honest service. There is rarely a jury in these Courts to decide the facts as in Courts of Record when the Judge has only the law to apply. These judges must in 98% of the cases act as Judge and Jury too. In at least 75% of the

The statistics of these courts do not and cannot show

the actual number of trials that take place, for many cases trials now had in these courts the parties are represented by counsel, and in at least 50% of these trials will proceed to trial and after an hour or more being occupied with the trial the litigant fearing defeat will discontinue the law, and the examination of these briefs and the authorities cited in them and in preparing and writing opinions require of the Justice fully one-third as much time as all the cases of this character progressed, it simply appearing as trials in his court occupy, and as the time for decision is "discontinued" or "judgment on consent" or "settled." Then limited to fourteen days the Justices must many times devote their evenings and not infrequently their Sundays to this work with the opposing affidavits and arguments of counsel require considerable time to examine and decide, frequently necessitating the examination of authorities to properly determine the character of controversies. Speaking of examining authorities on questions submitted for determination, it may not be amiss to say that

It must be borne in mind that with the abolition of these courts are provided with most scanty law libraries, the Superior and Common Pleas Courts in Manhattan and the City Court in Brooklyn, this large commercial community has library at home he is compelled to spend considerable of his time at some other library in order to make these examinations and it will be observed that it is rare that a sufficient library is to be found in close proximity to either his court or to his home. is notorious.

The popularity of these courts in a large measure is believed to have been brought about by and jurisdiction district courts or justices courts, for the increased power that there has been an elevation in the character and ability given by amendments to the Charter and the Municipal Court Act going into effect last September and the congestion in the higher courts, as well as the character of the judiciary, realized or know the importance of these courts as now constituted, and the past year has seen most wonderful changes in since the Charter has required that only lawyers shall be eligible to this bench, has brought, and is daily bringing to them, a large increase of litigation, and of a character that equal to that required in the Supreme Court. To maintain the heretofore only reached the courts of record, and in the present standard of these courts requires the selection of lawyers of acknowledged ability, and these cannot be had without adequate compensation. In view of the character more courts, indeed we may safely say that that time has come of the work in these courts in all fairness can it for a moment already.

he said that the present compensation is even decent, when The statistics of these courts do not and cannot show it is conceded that the compensation of the Magistrates and

the actual number of trials that take place, for many cases will proceed to trial and after an hour or more being occupied with the trial the litigant fearing defeat will discontinue or consent to judgment or settle, and in the report of the business of these courts there is nothing to show how far cases of this character progressed, it simply appearing as "discontinued" or "judgment on consent" or "settled." Then there are motions of various kinds based on affidavits, which with the opposing affidavits and arguments of counsel require considerable time to examine and decide, frequently necessitating the examination of authorities to properly determine this character of controversies.

Speaking of examining ~~of~~ authorities on questions submitted for determination, it may not be amiss to say that these courts are provided with most scanty law libraries, and if a justice is not fortunate enough to possess a good library at home he is compelled to spend considerable of his time at some other library in order to make these examinations and it will be observed that it is rarely that a sufficient library is to be found in close proximity to either his court or to his home.

The popularity of these courts in a large measure is believed to have been brought about by reason of the fact that there has been an elevation in the character and ability of its judiciary. Few people outside of the legal profession realize or know the importance of these courts as now constituted, and the past year has seen most wonderful changes in the character of the litigation brought to it, requiring in its proper determination a legal knowledge and skill, fully equal to that required in the Supreme Court. To maintain the present ~~standard~~ standard of these courts requires the selection of lawyers of acknowledged ability, and these cannot be had without adequate compensation. In view of the character of the work in these courts in all fairness can it for a moment be said that the present compensation is even decent, when it is conceded that the compensation of the Magistrates and

their labors, not only in the volume of business but in the Special Sessions judges is fair and reasonable for the services they render?

The exact existing conditions in these courts are known to but few people, and particularly to the officials of this city, and it is respectfully suggested that it would not be unwise for these latter persons to familiarize themselves with them and their needs in order that they may be intelligently provided for.

ANSWER TO OBJECTION THAT PRESENT INCUMBENTS AGREED TO ACCEPT PRESENT SALARY.

It may be said that the present incumbents, by accepting an election, contracted to serve the city for the present salary during their term of office, and while for the sake of argument this may be considered true their present situation may be aptly illustrated by this comparison; suppose the City has a piece of work to be performed and invited bids for such work based on plans and specifications, contractors examine such plans and specifications, estimate and bid accordingly, and subsequently enter into contract to perform the work, and that after the work had progressed the City adds some additional work and insists upon its being done by the contractor, and then again adds some more work and then contends that the contractor having made a contract for the original work must accept the contract price as in full of all work. Hardly such a position by the City would be conceded fair and equitable.

The position of the Justices in these courts are today the same as that of the contractor just described. Before accepting a nomination they informed themselves as to the character, quality and quantity of business in the courts to which they were subsequently elected, and we will say were perfectly satisfied with respect to the salary, but after they take office they find that the Legislature, and of necessity too, increasing their powers and jurisdiction and consequently

their labors, not only in the volume of business but in the important character of the litigation, and with every prospect of the near future doubling it over that which existed when they made their contract.

The Justices certainly did not contract to perform any greater services than any other judicial officer of the City, that is devote a greater number of hours to their duties. They did not undertake to sit until six, seven and eight o'clock in the evening and sometimes later, which many times now is made necessary in order to accomodate the public and keep up with the business of their courts, nor did they contract to take home briefs and there examine the authorities and write opinions, made necessary because of the insufficient time and opportunity during court hours, thus devoting time to the public interests which belongs to them of right for rest and recreation. Not a head or employee of any department of all those that manage the affairs of this great city is called upon to devote any more than a specified number of hours each business day to the public business and then his time is his own; nor does the character of the business of the Judges of any other inferior courts any greater amount of their time and attention than is required in the departments mention, but not so with the Justices of the Municipal Court for the very nature of their business prevents any such situation to exist unless the public interests suffer by delay. The Justices might with all reason say, "we will devote the same hours for work as in the other departments of the City only," indeed there is nothing to prevent such a course and then all briefs and authorities must be examined during court hours, but it would mean great public inconvenience and a hardship to many litigants because of the delay that must ensue.

PRECEDENT FOR INCREASE.

Last year the salary of the Justices up the State was increased twenty-five hundred dollars each, and it is not

^{long since,}
that the ~~salaries of the~~ Judges of the Supreme Court in the Second Department had their salaries increased five thousand dollars per year by Legislative enactment. They too were elected and so to speak, contracted to serve during their term of office for a specific salary, but it was recognized that the labors of the office had ~~som~~ increased that in sheer justice they were entitled to increased compensation.

This same thing has just been done in the cases of the present Surrogate and County Judge of Queens County where the salaries have been increased three thousand and four thousand respectively, making their salaries eight thousand each and the privilege to practice law is permitted.

There are many Municipal Courts that do more business in one year than both these last named courts combined.

A measure is now before the Mayor for action, a measure most generally approved, increasing the salaries of the Borough Presidents, and why? Because it is recognized, that amendments to the Charter have placed upon these official greater responsibilities and more onerous duties, and for these reasons the original compensation fixed by the Charter is inadequate. ~~TK~~

This is the identical situation of the Municipal Court Justices.

Under all the circumstances is it unreasonable that the increase sought should be asked?

Fairness and justice demand approval of the measure.

Respectfully submitted,

BRIEF
IN FAVOR OF THE BILL INCREASING
SALARIES
OF
MUNICIPAL COURT JUSTICES.

---0000000---

Before

Hon. Seth Low,

Mayor.

^{Improvement}
Discrimination

One does not know why
the change was made.

Times induced to print an
editorial -

Person & City Detail

Perfild -

Do now with

Down town office

acrimony

Europe

The last part of the bill

and up

C. Bantley Colby