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FOLDER

11

Borough Presidents

1910-1912

OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

June 27, 1911

To the Honorable

BOARD OF ALDERMEN

Gentlemen:

One of the duties imposed upon the President of the Borough is the removal of encumbrances. For practical purposes, this may be taken to mean only such encumbrances as are placed on the streets in violation of the general ordinances passed by your honorable board - and my charter duty may, therefore, be stated to be the enforcement of such ordinances. It is, however, a matter of common knowledge that no general enforcement of this class of ordinances has been attempted by my predecessors in office. Thus far, I have not attempted it myself. The Division of Sidewalks, as reorganized a year or more ago, has greatly increased its activity and its efficiency; the figures showing 1363 ✓ complaints received and acted upon during 1909, and 26769 during the year 1910. The activities of the bureau have, however, been directed in the main to particular localities where the need of free sidewalk space has been urgent, or against violations of the ordinances that were conspicuous or that have been the subject of outside complaint.

The result of this customary course, under which action has been taken against violations only upon complaint, or in emergency cases, has been not infrequently the removal of illegal encumbrances in one place and the leaving of others of exactly similar character.

OFFICE OF THE PRESIDENT

BOROUGH OF MANHATTAN

Board of Aldermen

Encumbrances #2

6-27-1911

next door or upon the next block. In one sense, the removal of encumbrances under such circumstances has been no injustice because no man has a right to violate the ordinances; but the man whose show-case or stand is removed while his neighbor's is left is put to a real disadvantage in his business competition, and, naturally, feels that he has been unjustly discriminated against. This is the argument most commonly urged against the removal of any particular encumbrance; but there is a surprisingly large number of people now violating the ordinances who would be honestly willing to comply with them if every one else had to do so. Similarly, I believe that there are many members of your board who feel that the present congested sidewalk situation should be relieved by a general enforcement of the ordinances throughout the borough. This is the conclusion to which I myself have come, and of which I wish to advise you in advance of further action.

At a recent hearing before your Committee on Laws and Legislation upon a proposition to amend the ordinances as to stands so as to increase the limit of size, it was publicly stated by the attorney representing the standholders that ninety percent of the stands now in use throughout the Borough of Manhattan are in excess of the legal restrictions as to size. Whether these figures are accurate or not, it is a fact within the knowledge of the Bureau of Highways that stands of twelve or fifteen, and sometimes even twenty, feet in

OFFICE OF THE PRESIDENT

BOROUGH OF MANHATTAN

Board of Aldermen

Encumbrances #3

6-27-1911

length are common, although the legal limit is six feet; and that business of all sorts is transacted on these stands, although the ordinances permit only the sale of newspapers, periodicals, fruits and soda water. This abuse is, perhaps, the most common on the lower East Side. I have been approached by the representatives of sense-keepers in that section who are injured by the competition of the illegal stands, and I have felt obliged to assure these citizens in particular that the violations of which they complain will be corrected.

What is true of the sidewalk stands is true also in greater or less degree of showcases and signs, of the display of goods, of the so-called storm doors, and of many other encumbrances. Such appropriation of the public sidewalks for the ^{purpose of private} ~~purposes of private~~ business, in direct violation of law, has been carried so far that in many streets the passage of people on foot is seriously obstructed. I believe that such sidewalks should be reclaimed for the use of the public, which alone is entitled to their use, and I also believe that every city ordinance relating to them should be enforced, for the reason that they are mandates of law, if for no other reason. If they are not to be so enforced, they should not remain upon the books. I realize that the nuisances of these illegal encumbrances can not be abated all at once; but I propose to make a beginning. I hope to be helped in this work by the cooperation of the individual members of your board, as well as by the many citizens who now disobey the ordinances, for no special desire to do so, but chiefly in order

OFFICE OF THE PRESIDENT

BOROUGH OF MANHATTAN

Board of Aldermen

Encumbrances #4

6-27-1911

to keep pace with their competitors in business.

It seems proper, however, to give some public notice of this intention in order that every one affected may have an opportunity to comply voluntarily with the ordinances in question before departmental orders are issued. To this end, I desire to advise you that after JULY FIFTEEN a general and vigorous enforcement of all ordinances relating to encumbrances will be undertaken by the Division of Sidewalks of the Manhattan Bureau of Highways, and that the mere fact that any particular encumbrance exists in violation of law will be considered a conclusive reason for removing it, *W. J. ...*

With relation to this general subject, May I also call the attention of your board to the fact that under the provisions of Section 50 of the city charter, while the Board of Aldermen is given power, subject to the general supervisory powers of the Board of Estimate and Apportionment, "to regulate the use of the streets, signs, sign posts, awnings, awning posts, horse troughs, urinals, posts for telegraph or other electric wires, and other purposes", the section further provides "that the Board of Aldermen shall not have power to authorize the placing or continuing of any encroachment or obstruction upon any street or sidewalk except the temporary occupation thereof during the election or repairing of a building on a lot opposite the same, nor shall they permit the erection of booths and stands within the steep lines except for the sale of newspapers, periodicals, fruit and sodawater, and with the consent in such cases

OFFICE OF THE PRESIDENT

BOROUGH OF MANHATTAN

Board of Aldermen

Encumbrances #5

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of the owner of the premises"; and, further, that "the Board of Aldermen shall not pass any special ordinances in relation to any of the matters mentioned in this section; all ordinances in relation thereto shall be general ordinances which may either apply throughout the whole city or throughout specified portions thereof."

It has been the custom of the board for some years past to pass special ordinances or resolutions in relation to particular encumbrances. I am advised, however, that such ordinances or resolutions come clearly within the aforesaid prohibition of the charter, and that they are wholly invalid. I have not felt warranted, therefore, in recognizing any such ordinances as authority for any encroachments or encumbrances not covered by general sections of the Code, and shall not feel so warranted in future.

My reasons for addressing you at length in this matter are that as a board you make the ordinances and are, therefore, most interested in their enforcement; and that as individuals you are most closely in touch with these citizens who will be directly affected by such enforcement. I do not doubt that the action I propose will have your approval; and I remain,

Respectfully yours,

George M. Artery
President

City of New York
Office of
The President of the Borough of Manhattan
City Hall

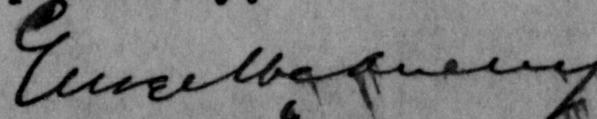
Leo Arnstein
Secretary of the Borough
Julian B. Heaty
Secretary to the President

July 31, 1911

Dear Mr. Mayor:

I enclose copy of a letter I addressed to the Board of Aldermen under date of June 27th, reciting the facts with relation to existing violations of the city ordinances governing street stands, and stating my intention to enforce the law. Possibly, you may have an opportunity to look this over before you act upon the amendatory ordinance. The number of stands occupying sidewalk space that do not conform to the ordinances is estimated at from fifty to ninety percent of all. In the absence of actual enforcement of the law, the tendency is constantly to increase the size; and the occupation of additional sidewalk space goes on at a rate that is becoming alarming. All of the stands that do conform at present to the ordinances as to size are now invited to go from six to ten feet - in order that existing violations may be legalized - and I imagine that there are very few of the owners who would fail to take what is offered them.

Yours respectfully,



President, Borough of Manhattan

To the Mayor

City Hall

New York City

July 31, 1911.
Enclosing copy of letter
addressed to Board of Aldermen
reciting facts with relation to
existing violations of the City
Ordinances governing street
stands and stating intention
to enforce the law.

Mayor:

of Aldermen under date of June 25th, 1911, reciting the facts with relation
I enclose copy of a letter I addressed to the Board

The President of the Board of Aldermen

City of New York

JULY 31, 1911

For the Mayor
John H. ...
...

BORO PRES

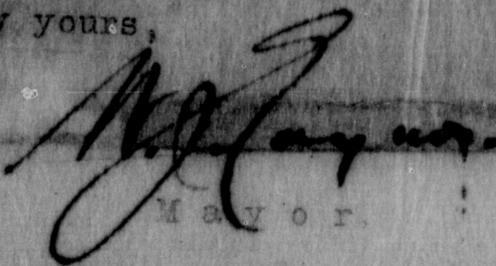
✓

March 31, 1910.

Sir :

If the court does not substitute forthwith some one in place of Mr. Haffen on the Commission, I think it will be our duty to lay the matter before both Houses of the Legislature, as they have under the Constitution the supervision of the conduct of judges and power to remove them. To have such an appointment made after the effort which we have made to do away with the abuses and waste of the public funds in condemnation proceedings by having honest and fit men appointed as commissioners therein is discouraging to the last degree, and in addition is an affront to the Governor of the State who so recently removed him from office for official misconduct. We may as well have this matter out now and once for all. Several of our judges here have been to see me heretofore and are most anxious to have these condemnation proceedings put on a proper footing, and that proper commissioners be appointed.

Very truly yours,


Mayor

A. R. Watson, Esq.,
Corporation Counsel.

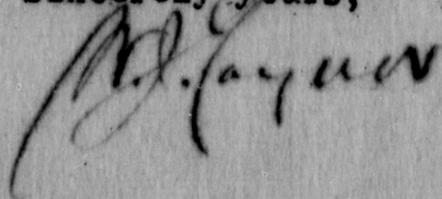
PERSONAL.

April 14, 1910.

My dear President Miller:

Your favor of April 12th is at hand. I think I could convince you that some of these Judges are not working quite so hard as they would have us believe. I believe I know something on that subject. The thing for them to do is to appoint men of high standing as commissioners and not mere hangers on. The conduct of that Judge the other day in appointing a man recently removed by the Governor for misconduct in office should insure his prompt removal from the bench by the Legislature, in my judgment, and the Legislature ought to take the matter up itself.

Sincerely yours,



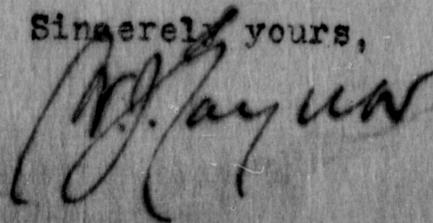
Hon. Cyrus C. Miller,
President of the Borough of the Bronx,
New York City.

July 11, 1910.

Dear President Miller:

Your letter of July 8th is at hand. The meeting is for Wednesday, but do not by any means leave the pigs, goats, billy-goats, cows and chickens to come down. Some of us will tell you all about it.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "W. J. Fay". The signature is written in a cursive style with a large, sweeping initial "W".

Hon. Cyrus C. Miller,
Greensboro,
Vermont.

11-2-0

Dec. 8, 1910.m

Dear President Miller:

The investigations can go on I suppose. The Board of Aldermen is a coordinate branch of the government and has to be treated respectfully by the Mayor. The matter being one of opinion it seemed to me that it would be seemly for me to withhold my veto. I had to act in the matter from the standpoint of the Mayor's office. It would be very easy to misuse the veto power. Moreover, some of our associates in the Board knew very little about these resolutions. It may be that I will surprise you when I say that I never heard of them until they were read at the meeting. I agree with you that these important matters should be laid over for a week so that everybody may maturely consider them. It may also be that I did not consider the matter very fully owing to the way my mind was engrossed with rapid transit for the Bronx and the rest of the city and the fact that I had to stay home for two half days owing

to the effect which the coming snowstorm had on my throat.

Sincerely yours,

W. J. Gaynor

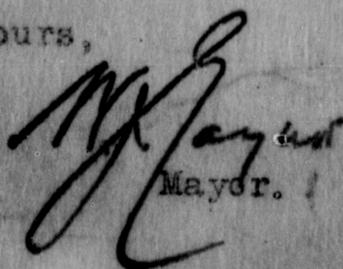
Hon. Cyrus C. Miller,
President Borough of
The Bronx.

Jan. 9, 1911.m

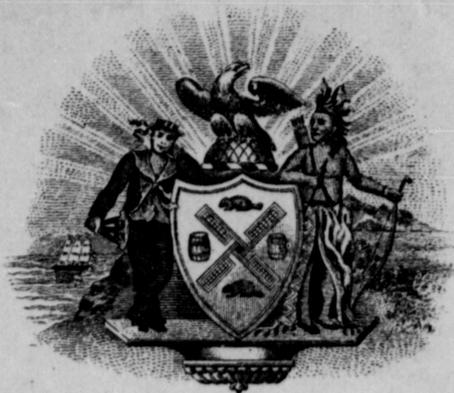
Dear Mr. Davis:

I should be most glad to attend the dinner to President Miller, but I regret to say that the condition of my health forbids that I should go out Tuesday night. If there be any official in the city whose work deserves recognition it is that of President Miller. He has made a great success of his office in the Bronx. He is not a mere theorist; he does things. He is a practical man of ability, and that is the kind of man we want. You cannot deceive him. He has one of those happily constituted minds which through mazes of sophistry and masses of immaterial facts go straight to the mark. He also has human nature. And may I add that while he now and then looks at rainbows, like the rest of us, he never chases any rainbows.

Sincerely yours,


Mayer.

John Davis, Esq.,
Chairman,
Niblo's Garden,
170th St. & 3rd Ave., City.



Department of Water Supply, Gas and Electricity,
Commissioner's Office,

13-21 Park Row,

HENRY S. THOMPSON,
 COMMISSIONER.

J. W. F. BENNETT,
 DEPUTY COMMISSIONER.

J. L. PULTZ,
 SECRETARY.

City of New York, April 4, 1911.

Hon. William J. Gaynor,
 M A Y O R,
 City of New York.

Dear Sir:-

I have already in several communications answering complaints of taxpayers in the Bronx, informed you that Borough President Miller, has declined to issue the necessary permit for the laying of two 12" mains in the Concourse.

I have written Mr. Miller a letter this morning, of which the enclosed is a copy. It gives, I believe, all the points at issue.

In the morning's edition of to-day's Telegram President Miller issues a statement which I feel reflects upon this Department. I was governed entirely by the advice of the Corporation Counsel in every action taken by me in connection with this contract.

Yours truly,

H. S. Thompson
 Commissioner.

J
(Copy)

April 4, 1911

Hon. Cyrus C. Miller,
President, Borough of The Bronx.

Dear Sir:

I have your letter of the 1st instant, in answer to my invitation to luncheon and to confer in regard to several matters of public interest pending between your office and mine. I was both surprised and disappointed to learn that our interview would be useless if I were to discuss the question of the proper location of water mains in the Concourse. You informed me that you have decided not to change the position you have already taken in this matter. How you could infer from my letter of the 16th ultimo that there was any more important matter affecting both departments than the location of mains in the Concourse is beyond my comprehension. My letter speaks of this matter quite clearly. I do not refer to the other subjects of interest between our departments, as they are not as important.

Your letter of March 14th conveyed the idea that a calm consideration of all the facts in the case and an interchange of views would lead to a speedy solution. You say, "Personally, of course, it makes no difference to me where they go."

Surely the disturbance of the roadway could not have been your reason for refusing permit for the laying of water mains in the Concourse, as I am informed that the Northern Union Gas Company obtained permit from your office and installed a gas main in the middle of the roadway only a few weeks ago. Why you should discriminate against this department in favor of a gas company, I am at a loss to understand.

My attention has been called to two letters published in the Municipal Engineering (City of Indianapolis), signed by you, in which you ask advice as to the proper location of mains, i.e. whether under the sidewalk or in the street. I was justified in assuming that you would be as ready to hear and give consideration to the statements of the Commissioner of Water Supply, Gas and Electricity in regard to this matter as to those of the magazine to which your letters were addressed;

Hon. Cyrus C. Miller

-2-

April 4, 1911.

The Corporation Counsel is my legal adviser and before I passed on the point at issue I submitted to him copy of the plans, contract, reports of my engineers and copies of correspondence between your office and mine. His opinion was that the plans clearly show the mains should be laid in the roadway and that I was the sole official to select and designate the location of water mains, and that having ordered that the mains should be laid in the roadway I should adhere to my decision. I furnished you with a copy of this opinion.

While I am Commissioner of this department I shall prevent, wherever possible, the laying of mains under sidewalks. It deprives the City of considerable revenue obtained for vault privileges. Thousands of dollars have been lost to the City as a result of mains laid many years ago under the sidewalks in upper Broadway, Borough of Manhattan.

The contractor, as you know, has delivered the water mains, hydrants and appurtenances and has notified me on several occasions that he had the necessary force and appliances to proceed with the laying of the mains. I have already informed you of this fact and have stated that the contractor had intimated that he intended to file a claim for damages, which will amount to a considerable sum if the delay is prolonged. I have advised the contractor both verbally and in writing that I have exhausted all the means at my command to have this work done. It was suggested that probably the point at issue could be speedily settled by the court in a mandamus proceeding. I assured the contractor that I had no objection to his instituting this proceeding. It now appears that there is no other course. I have no fear of the outcome, as I have acted in every instance, in the matter of this contract, under the advice of the Corporation Counsel, I have only to again express my disappointment and regret at your uncompromising attitude. As you have very properly written me, you shall have to assume all the responsibility accruing to the City.

Yours truly,
(signed) Henry S. Thompson,
Commissioner.

Handwritten notes and signatures in the left margin, including the name "Miller" and several illegible signatures.

Apr 4/1911

W. to Laying

a 12 inch main

with the course

(attny), Henry D. Thompson,
Yonkers City, Commissioner.

Commissioner.

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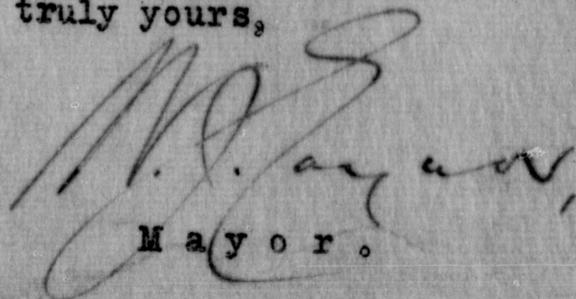
the property which is being secured to the city.

August 8th, 1911.

Dear Mr. Miller:

The Commissioner of Water Supply has several times called my attention to the fact that his contract for the laying of water pipes in the Bronx is held up by the borough authorities refusing to grant a permit to open the streets, I think. I fear I cannot accede to the proposition that contracts of city officials for city work can be held up by any borough official. I am therefore taking the advice of the Corporation Counsel as to whether we can proceed without a borough permit. I trust you will be able to withdraw all opposition to the carrying out of the contract, as the city is threatened with a suit which will result in heavy damages against the city.

Very truly yours,


Mayor.

Hon. Cyrus C. Miller,
President Borough of The Bronx,
City of New York.

August 16, 1911. s

Dear Mr. Miller:

Your letter is at hand with regard to the contract. I have heard of the matter several times but have not paid any attention to it. But now the Corporation Counsel's office advises that the contract is being broken by the refusal to let the contractor lay the pipes and that he will have a good suit for damages against the city. I suppose we will all have to follow his advice. That advice does not seem to agree with your view, so that you had better put the case before him thoroughly. This is a city work.

I trust you are having a good time. I have concluded to stay here during the summer, and take a vacation later.

Sincerely yours,

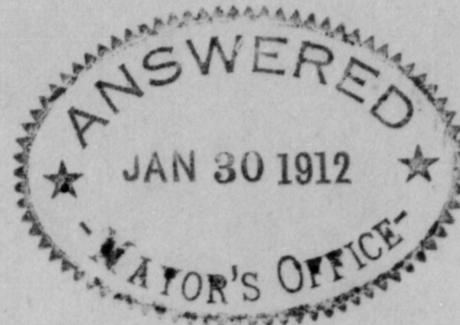
W. Jayson
Mayor.

Hon. Cyrus S. Miller,
President Borough of The Bronx.

CITY OF NEW YORK
PRESIDENT OF THE BOROUGH OF THE BRONX
THIRD AVENUE AND 177TH STREET
OFFICE OF THE PRESIDENT

CYRUS C. MILLER
PRESIDENT

January 29, 1912



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

Dear Mayor Gaynor:

During the past twenty-five years the world has progressed with discoveries of all sorts to benefit the human race. Much has been done in the science of municipal government; much has been done in the physical up-building of our city, and yet I venture to say that little if anything has been done in that time to improve the distribution of farm products quickly and cheaply among consumers in the City of New York. The city has outgrown its distributing facilities. To the first cost of farm products must be added the unnecessary cost of crude methods of distribution. This adds to the cost of living and tends to under-consumption of products. The more a man must pay for his food, the less he uses of it. With better distributing facilities our citizens could get their food more cheaply and therefore have more of it and in greater variety for the same money. The middleman, who is blamed for much of the increase in the cost of farm products, is the victim of a bad system. To the profit which he must make to enable him to live, he must add all the cost of trucking, storage, and various other charges which are not a profit to him, but which go to make his toll higher. There is too much difference between the price to the producer and the cost to the consumer. The middleman is a necessary part of the distributing system, just like the railroads.

In the Borough of Manhattan from 110th Street north to the Harlem River there are some 810,000 people; in the Borough of the Bronx there are 450,000 people; and in New Rochelle, Mt. Vernon, and Yonkers, there are approximately 130,000 more, making a total of 1,390,000, which is increasing rapidly. Within this thickly populated territory the facilities for distributing farm products are little short of absurd.

For a year and a half I have been working on a plan to establish in the southerly part of the Bronx

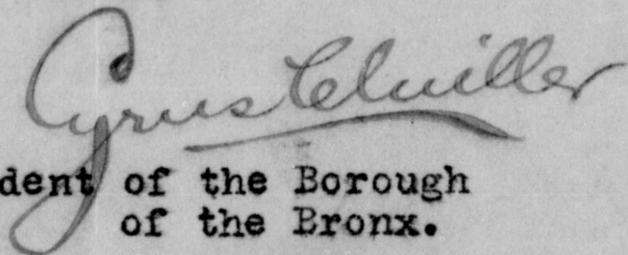
CITY OF NEW YORK
PRESIDENT OF THE BOROUGH OF THE BRONX
THIRD AVENUE AND 177TH STREET
OFFICE OF THE PRESIDENT

CYRUS C. MILLER
PRESIDENT

Mayor Gaynor - 2

along the river front, for the territory I have mentioned, a distributing depot or market where farm products may be brought by boat and railroad cars on floats or rail, and their contents sold by auction or otherwise and distributed quickly and cheaply. Such a distributing center should be easy of access to all the railroads and shipping lines. Recently I have invited the Merchants' Association, the Chamber of Commerce, and the Produce Exchange to send representatives to confer with my men on the subject. The matter has grown to be such a large one and so far-reaching in its effects and so important to the people of upper Manhattan and the Bronx that I have come to the conclusion that it should have the benefit of the most scientific handling - in short, that it is more of a work than I can do properly and attend to my other duties. This is a subject which will interest you. What more practical benefit can be given our citizens than to increase the volume and variety and decrease the cost of their food? For that reason I write to ask your opinion of the plan of having a ^{volunteer} commission appointed by you to study into the matter and report to the Board of Estimate and Apportionment on the wisdom and the ways and means of establishing such a distributing depot.

Yours very truly,



President of the Borough
of the Bronx.

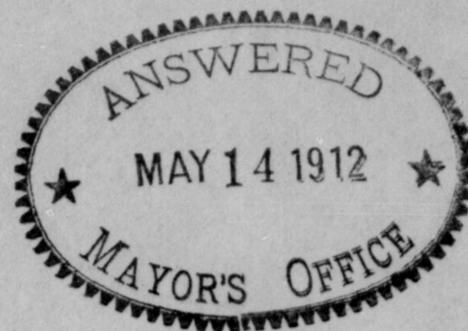
Jan. 29/12.

16- distributions
of farm products
quickly & cheaply
among consumers.

Present

CITY OF NEW YORK
PRESIDENT OF THE BOROUGH OF THE BRONX
THIRD AVENUE AND 177TH STREET
OFFICE OF THE PRESIDENT

CYRUS C. MILLER
PRESIDENT



May 11, 1912

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

Sir:

Universal complaint has been made of late of the high cost of food in this City. This has come about through many causes - the decrease in the cost of producing gold, the decrease in the number of producers and the increase in the number of consumers, and the inadequate handling facilities in the City. The first two causes are not within our power to remove; the third one we can remedy. The present facilities for marketing food stuffs in Manhattan are crude and inadequate. The poorer classes in the City are suffering under a burden of high prices and insufficient supply,- conditions which would be greatly relieved by proper distributing facilities.

It has been computed that we spend annually \$100,000,000 in the City of New York for our food. I am satisfied from an examination of market and handling conditions in New York that 5% of the cost of its food would be the least the City would save if it furnished proper market facilities for the distribution of such food products. This would amount annually to ⁴⁵\$45,000,000. Paris has

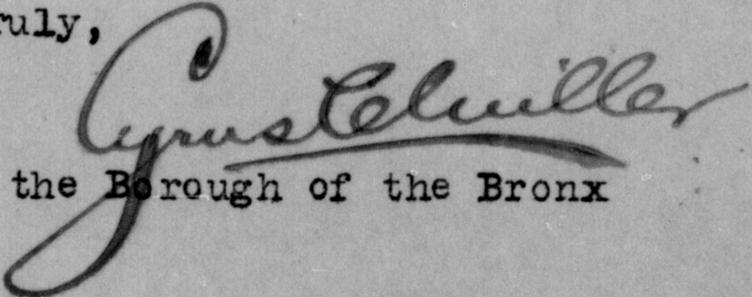
PRESIDENT BOROUGH OF THE BRONX

\$10,000,000 invested in its markets; Berlin has \$7,000,000, and they pay a handsome return to the city.

A recent report on the retail markets maintained by the City of New York shows that there is a deficit for such markets of over \$80,000 annually. The experience of this City, like that of other large cities abroad, proves that municipal retail markets not only do not pay but they compete with citizens already in that business. I am not in favor of municipal retail markets but I believe that there could be a very appreciable saving in the cost of food products here if wholesale distribution depots could be established by the City, to which retailers could go for their supplies without the increased cost acquired by trucking and other unnecessary handling. As you know, I have worked for some time on getting such a wholesale distributing depot in the Bronx to supply the territory of Manhattan north of 110th Street, the Borough of the Bronx, and New Rochelle, Mt. Vernon and Yonkers.

I have been requested to ask you to appoint a voluntary commission to look into the market conditions of the Bronx and Manhattan and to report to you a plan to improve such conditions.

Yours very truly,


President of the Borough of the Bronx

PRESIDENT BOROUGH OF THE BRONX

COMMITTEE:

Cyrus C. Miller, President of the Borough of the Bronx,
Chairman.
Eugene H. Outerbridge, Chamber of Commerce.
Laurence L. Driggs, City Club of the City of New York.

ADVISORY COMMITTEE:

John Aspegren, Vice President New York Produce Exchange.
Edward C. Boynton, Bronx Industrial Bureau.
Franklin Brooks, Member New York State Assembly.
John Buckle, President Gansevoort Market Business Men's
Association.
Henry Dunkak, Ex-President New York Mercantile Exchange.
Emil Fleischl, Produce Commission Merchant, Bronx.
Thomas Fulton, Citizens' Committee.
J. H. Killough, Merchants Association of New York.
Nelson P. Lewis, Chief Engineer, Board of Estimate and
Apportionment.
Richard W. Lawrence, North Side Board of Trade.
L. J. Lippmann, Secretary New York Branch New York League
of Commission Merchants.
Mrs. George V. Mullan, Women's Marketing League, Bronx.
William Church Osborn, Chairman Committee on Marketing,
New York State Food Investigating Commission.
George S. Otis, Chairman Executive Committee, West
Washington Market Association.
William R. Patterson, Assistant Commissioner of Public
Works, Borough of Manhattan.
Allan Robinson, Allied Real Estate Interests.
R. A. C. Smith, Chairman State Harbor Commission.
Mrs. Flora Spiegelberg, Women's Sanitary League, Manhattan

May 14th, 1912. 8

Dear President Miller:

Your effort to have a voluntary commission appointed to look into the market conditions of the boroughs of the Bronx and Manhattan, and report a plan to improve such conditions, is most commendable and I am glad to appoint such commission.

Our market system here seems to have permanently settled down to a system very different from that of European cities. Our retail markets are in the main the retail grocery stores and meat stores which exist in every neighborhood of the city. But there is a great need of large central wholesale distributing markets, where the proprietors of these local stores may go and purchase their daily stock of fresh supplies. Your aim is to establish enough of these large distributing markets, and I think you are right.

Sincerely yours,

W. J. Meyer
Mayer.

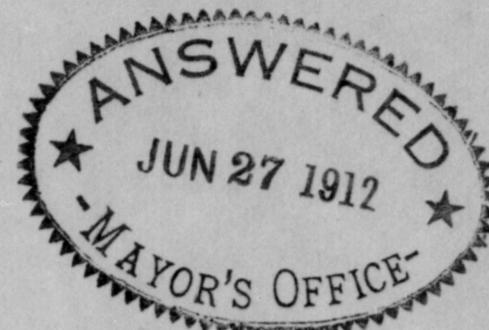
Hon. Cyrus C. Miller,
President of the Borough of
The Bronx.

P-F

President of the Borough
of Richmond

New Brighton, N. Y.,
June 25th, 1912.

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



My dear Mr. Mayor:

Referring to our conversation of this morning upon the subject of the appropriateness of a letter from you to me respecting Commissioner's Fosdick's report of the 3rd instant, in the matter of his special investigation of the initiation of public improvements in my office, I send you a copy of the report as it was printed in full in our local newspaper, "The Staten Islander", in its issue of the 8th instant. The voluminous schedules to which the report refers I do not enclose, as they are quite bulky, but you will find the originals on file, I have no doubt, with the original report submitted to you.

Apropos of what I told you of the big headlines which appeared in the newspapers at the time the investigation was first announced, I quote the following taken from my file of newspaper clippings:

New York Globe,- (December 21st, 1911)	"STATEN ISLAND PARTY MOVES TO FIRE CROMWELL."
New York Mail,- (December 21st, 1911)	"MOVEMENT TO OUST CROMWELL."

President of the Borough
of Richmond

Hon. William J. Gaynor.

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New York German Herald,-
(December 21st, 1911)

"HE RUINS US. GRAVE CHARGES
AGAINST BOROUGH PRESIDENT
GEORGE CROMWELL".

New York Evening World,-
(December 21st, 1911)

"OUST CROMWELL, CRY OVERTAXED
RICHMOND MEN."

New York Evening Staats-
Zeitung,-
(December 21st, 1911)

"SEEKING CROMWELL'S SCALP."

New York American,-
(December 22nd, 1911)

"WILL ASK DIX TO REMOVE CROMWELL"

Perth Amboy Chronicle,-
(December 22nd, 1911)

"RICHMOND BOROUGH PROTESTANTS
WANT THEIR PRESIDENT
BOUNCED."

New York Evening Journal,-
(December 21st, 1911)

"WILL ASK DIX TO OUST CROMWELL
AS BOROUGH HEAD."

New York World,-
(December 21st, 1911)

"WANT DIX TO OUST GEORGE CROMWELL
AS HEAD OF BOROUGH."

New York Tammany Times,-
(December 23rd, 1911)

"CITIZENS DEMAND REMOVAL OF
CROMWELL."

The investigation lasted over five months and after a while got to be such an old story that when the formal report to you was finally made little or no notice was taken of it. It was generally understood I think by that time that the charges were without foundation, and I am informed that the so-called "Committee of Safety"

President of the Borough
of Richmond

Hon. William J. Gaynor.

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disbanded some time ago.

If, therefore, after examining the report yourself, you feel like writing me your conclusions as to the charges, I will appreciate it.

Very truly yours,

CROMWELL ALL RIGHT

ABSOLUTELY CLEAR- ED ON COMMITTEE OF SAFETY CHARGES.

EVERYTHING LEGAL AND
STRAIGHT AS A STRING FOR
FIFTEEN YEARS.

Entire Period of Continuous Admin-
istration and Successive Elections
Embraced in Investigation by the
Commissioner of Accounts—Peti-
tions, Hearings, Resolutions, Im-
provements, Assessments Officially
Pronounced Correct—As to Pub-
licity, All Boroughs in the Same
Boat, and the Law to Blame—
Conclusive Discomfiture of the
Few Citizens Who Tried to Make
Trouble.

The report of the commissioner
of accounts to the mayor of the city
on the office of the president of the
Borough of Richmond, instigated by
the little "committee of safety," is
herewith printed. It will bear read-
ing through, and no introduction to
it is necessary. Its perfectly calm,
expert and lucid findings are only
what every sane and honest citizen
expected. Here it is:

CITY OF NEW YORK
Office of the Commissioners of Accounts
280 Broadway
Raymond B. Fosdick,
Commissioner.

June 3, 1912.
Subject: In the Matter of a Special In-
vestigation of the Initiation of Pub-
lic Improvements in the Office of the
President of the Borough of Rich-
mond.

Hon. William J. Gaynor, Mayor.
Sir:—

Some time ago, at the request of a
citizens' committee, you directed this of-
fice to make an examination of the man-
ner in which public improvements have
been initiated in the Borough of Rich-
mond, with the idea of determining
whether the charter provisions have been
complied with in reference to the matter
of petitions, hearings, assessments, etc.
Shortly after our work on this examina-
tion was begun, we received from the
citizens' committee, above referred to, a
list of sixty-three proceedings or petitions
for public improvements in the Borough

Continued on Page 6.

CRONWELL ALL RIGHT

Continued from Page 1.

of Richmond to which it was desired we should give our particular attention. These proceedings were scattered over the entire period subsequent to consolidation, and included street openings, sewers, regulating, grading and paving matters, etc.

Accordingly, our attention has been directed solely to the proceedings submitted for examination by the citizens' committee. The work of the examination, owing both to the involved character of the subject and the complicated method of keeping the records in the borough president's office, has been long and tedious.

Thorough Investigation.

The sixty-three petitions for improvements, displayed upon the list of the citizens' committee, were found to be part of thirty-one distinct original proceedings. In these thirty-one proceedings there were involved, in addition to the sixty-three petitions mentioned to the committee, sixty-one auxiliary petitions, making a total of one hundred and twenty-four petitions to be examined and passed upon. We further examined the minutes of the local board in relation to these petitions, noting the details of each hearing, the presence of petitions and objectors, and the tenor of their remarks. From the local board we traced the proceedings through the records of the Board of Estimate. We examined the tentative estimates of cost furnished by the engineers and compared them with the actual costs on the completed work. We finally traced the proceedings through the records of the Board of Assessors, comparing the resolutions of the latter body with those of the local boards initiating the work.

For the sake of clearness and brevity we confine the discussion of the results of our examination to the questions raised in the communication of the citizens' committee.

Genuine Petitions.

1. "Whether any petition was ever filed asking for improvement."
In twenty-six of the thirty-one original proceedings the improvements were initiated upon petitions signed by adjacent property owners or residents. Of the remaining five cases, two were initiated upon proposals by the Commissioner of Public Works or his deputy, and three upon complaints of citizens in the matter of damages to property by flow of storm water over their property, or other conditions of a similar nature.

In nineteen of the thirty-one cases, the initial petitions were supplemented by auxiliary petitions relating to the construction of work necessary to be done in advance of the proposed improvements. For example, a petition received for regulating, grading and paving often entailed construction of a sewer or a street opening proceeding. There were ninety-three petitions of this auxiliary character in addition to the thirty-one initial petitions above cited. Forty-four of these auxiliary petitions were signed by property owners or residents; the remaining forty-nine were in the nature of proposals by the Commissioner of Public Works relating to the progress of the work, advices received from the corporation counsel in connection with the proposed improvement, the complaints of residents, etc.

Petitions.

II. "The nature of such petitions.
The petitions covered in our examination were divided into the following classes:

Gas and water mains and miscellaneous	5
Regulating, grading, paving, etc.	17
Street openings	27
Sewers	80

Total..... 129

In some instances one petition embraced two of the above classes of improvements.

Signers of Them.

III. "Names and interest of petitioners."

We have arranged in schedules the names of all petition signers in the 129 cases above cited, showing the petition or petitions upon which each name appears. These schedules are too bulky to include in this report. They are on file in our office, however, at the disposal of anyone who might care to see them. The actual interest of the petitioners in the improvements requested was difficult to ascertain. Of the thirty-one cases under consideration twenty-five culminated in the prosecution of the improvement. An examination of the assessment lists showed that the total assessments on the property represented in these twenty-five cases amounted to \$1,083,882.73. A comparison of the names on the petitions with those appearing upon the assessment lists in the Board of Assessors, shows that but \$103,197.68 of this sum was assessed upon the petitions. It must be borne in mind, however, that attorneys or agents in care of property may have signed the original petitions. In that case their names would not appear upon the assessment lists. This would also apply to cases where property changed hands between the signing of the petition and the culmination of the improvement. By a similar method we ascertained that those whose names were noted in the minutes of the local boards as appearing in opposition to the improvements were assessed in the amount of \$10,800.73.

Cost of Work.

IV. "Whether the resolutions pursuant to which such improvements were carried out were in accordance with the work asked for in the petition or exceeded such request."

Of the twenty-five petitions under consideration which culminated in the improvements requested, fifteen cases were found where the resolutions of the local board involved a larger outlay than the original petitions indicated, although in none of these cases did the resolution of the local board exceed the improvements outlined in the auxiliary petitions filed in connection therewith. In the remaining ten cases the resolutions of the local board were in compliance with the original petitions.

The petitions to the local board asked for relief from undesirable conditions affecting either the health or comfort of the community, such as the lack of sewerage, need of pavements, etc. The petitioners simply stated their wishes in the matter. The prosecution of the work was naturally affected by the necessity of conforming with the drainage map of the district, the securing of easements, the opening of streets and other requirements, as the exigencies in each case might demand. There were, therefore, in many instances, as we have stated, additions or modifications in connection with the original requests.

At Local Board.

V. "Hearings."
The minutes of the local board show that hearings were held in connection with all the 124 petitions mentioned above, except four. Two of these were apparently included in a hearing on another petition in connection with the same improvement. No minutes were found covering the other two petitions. A reference to one of these, however, was discovered in the minutes of a meeting nearly a year later than the original advertised hearing.

Advertising.

VI. "Advertising notices for hearings."

Section 432 of the charter requires the president of the borough upon receipt of a petition for a local improvement to publish in the City Record a notice that a petition has been received and will be submitted to the local board at a meeting to be held within ten days. Of the 124 petitions which we cited above, we were able to establish the fact that eighty-eight were advertised for hearings in the City Record, as provided in the charter section just mentioned. We were unable to locate the advertisements for the balance. In addition to those original hearings there were eighty-eight adjourned hearings at which these petitions were considered. For only sixteen of these adjourned hearings were we able to find that these petitions were advertised. There is apparently nothing in the charter which makes mandatory the advertisement of postponed hearings. The present system in the Borough of Richmond, however, and in the other boroughs as well, is not only unsatisfactory but conducive of much misunderstanding. Until recently no unfinished business was carried on the calendar of the local board of Staten Island, nor were old calendars kept on file. This situation has within a few months been remedied. The obsolete laws governing the city's advertising, however, unless modified or completely altered, will continue to cause dissatisfaction.

Estimated Costs.

VII. "The final cost of proceedings as related to the tentative estimate furnished by the engineers at the time when the local board acted."

As was noted above, twenty-five of the thirty-one cases under consideration resulted in the prosecution of the improvement requested. The total assessment upon property in these twenty-five cases amounted to \$1,083,882.73, divided as follows:

Street openings	\$107,567.61
Sewers	943,008.85
Regulating, grading, paving, etc.	33,306.27

Of this total sum, \$962,884.28 represented the actual cost of the reconstruction work. The total of the estimated cost submitted to the local board by the engineers of the borough was \$847,699.25, a difference in under-estimated cost of \$115,185.03, amounting to about 13 per cent.

VIII. "Whether or not the work as finally carried out and assessed for could reasonably be supposed to have been intended or contemplated by the petitioners."

This query, involving as it does the question whether less expensive and comprehensive improvements could have been installed in the Borough of Richmond in place of those actually installed is obviously difficult to answer. In part at least it has been discussed under the fourth heading of this report. In this connection it should be noted that in all cases the resolutions shown upon the records of the Board of Assessors conformed to the resolutions of the local board forwarded to the Board of Estimate and Apportionment for approval.

As we have already stated, in many cases the original petitions requested improvements which it was impossible or impracticable to install without making further improvements not contemplated by the petitioners. For instance, a sewer system would require with a sewer As a result, other sewers would have to be constructed, the necessity for which was perhaps unforeseen by the residents who signed the original petition.

Clean Record to the End.

Whether in given cases less ambitious improvements could wisely have been constructed in view of the probable growth of Staten Island is in its technical phases a matter largely for engineering experts to determine. It has not seemed practicable to prosecute our inquiry along this line inasmuch as we obtained from the engineers whom we consulted opinions on both sides of the controversy. As a matter of fact we believe that in the last analysis all the expert testimony that could be gotten together would be ineffective in settling the question. It is a matter of administrative policy to be approved or disapproved at the polls by the residents of Staten Island.

We forward with this report a schedule of the thirty-one proceedings, showing the details of the petitions in the list forwarded by the citizens' committee; also containing the same information for the sixty-one additional petitions referred to in this report.

Respectfully submitted,
RAYMOND B. FOSDICK,
Commissioner of Accounts.

The People the Judges.

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