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REPORTS OF PROCEEDINGS

OF THE

CITY COUNCIL OF BOSTON

FOR THE YEAR

COMMENCING FEBRUARY 6, 1922, AND ENDING FEBRUARY 3, 1923



CITY OF BOSTON
PRINTING DEPARTMENT
1923

INDEX

TO THE

CITY COUNCIL PROCEEDINGS

FOR

THE YEAR COMMENCING FEBRUARY 6, 1922, AND ENDING FEBRUARY 3, 1923.

Abandonment of Railroad Yard. (*See* Boston & Albany Railroad.)

Abbott (Edmund B.) Square. (*See* Squares, naming and renaming.)

Acceptance of George R. White Bequest. (*See* George R. White Fund.)

Action on Retirement Bill.
communication regarding, placed on file, 172

Adams Street, Wards 18 and 20.
sidewalks: order for construction, passed, 123

Adams Street School Building. (*See* Schoolhouse Department.)

Adelaide Street, Ward 22.
sidewalks: order for construction, passed, 97

Alarm Bell on Fire Alarm Box. (*See* Fire Department.)

Aldie Street, Ward 26.
sidewalks: order for construction, passed, 161

Amann, Francis L.
resolution favoring legislation for reinstatement in the fire department, passed, 305—vetoed, 313

American Legion, Post 65.
copy of preambles and order from the school committee and order for leasing the Adams street school building, passed, 140

Amherst Street, Ward 23.
sidewalks: order for construction, passed, 195

Annuities.
BARKER, MRS. WILLIAM H.: order for, referred to the executive committee, 293—report accepted, order passed, 301
BOODRO, KATHERINE: resolution favoring annuity, passed, 318

Annuities, continued.

COYNE, MRS. MICHAEL J.: resolution favoring payment of \$300 per year, passed, 80
FITZPATRICK, MRS. ANTHONY: resolution favoring legislation for annuity passed, 304
HENNESSEY, MRS. WILLIAM J.: order for \$600 referred to the executive committee, 259—report accepted, order passed, 276
LEONARD, MRS. MICHAEL C.: order for, referred to the executive committee, 10—report accepted, order passed, 14
SWAN, MRS. WILLIAM C.: order for, passed, 220

Appropriations.

see County of Suffolk, County Accounts.
see Law Department
see Soldiers' Relief Department
see Treasury Department

appropriation bill: message transmitting appropriations and tax orders for the financial year 1922-23, 21, 22, 23—referred to the committee on appropriations, 23; message transmitting appropriations and tax orders for the financial year 1922-23, 88, 89, 90—referred to the committee on appropriations, 90; appropriations with orders, 102, 103, 104—passed, 104

East Boston tunnel debt: interest and sinking fund requirements, 3
overseeing of the public welfare department: 87, 151, 152
soldiers' relief department: 87

Arlington Street, Ward 26.

sidewalks: schedule of cost with order to assess and collect, 69, 70—passed, 70

Art Department.

commissioners: Henry Forbes Bigelow appointed, 91; William V. Kellen, resigned, 125; John Harleston Parker appointed, 128—approved, 145

Assessing Department.

assessors: notice of removal of Edward B. Dailey, placed on file, 21; Joseph G. O'Malley appointed, 13; Neal J. Holland appointed, 63.
assistant assessors: A. S. Parker Weeks, John S. McDonough, Charles H. Warren, John J. Dailey, William A. Crenoy, Ward A. Marsh, appointed, placed on file, 35
deputy assessor: John M. Hayes appointed, 305
first assistant assessors: Edward E. McGrath appointed, 57; Joseph P. Dempsey appointed, 217
militia enrollment; communication certifying number of persons liable, placed on file, 160
temporary deputy assessor: Edward E. McGrath appointed, 57
assessment districts; notice of new districts, placed on file, 44

Assessment Districts. (See Assessing Department.)

Atherton Street, No. 75, Ward 15.

sidewalk: order for construction, passed, 259

Atlas Construction Company.

order that act authorizing payment of claim be accepted, referred to the executive committee, 160-report, accepted, order laid on table, 168-passed, 180; message with order for transfer of \$7,500 from the reserve fund in settlement of claim, 198-passed, 201

Attridge, John J.

sworn in as assistant register of deeds and bond approved, 303

Auditing Department.

city auditor: Rupert S. Carven appointed, placed on file, 7-approved by civil service commission, 44

Automobile Show, Employees at.

order that employees be citizens, 36-referred to the executive committee 37-report with order, report accepted, order passed, 37

Baker, Walter, & Co., Limited.

track location: Central ave., granted, placed on file, 174

Balfe, James P.

notice of appointment as statistics trustee, placed on file, 160, 195; notice of approval by civil service commission, placed on file, 202

Ball, Thomas J.

notice of appointment as budget commissioner, placed on file, 63

Barker, Mrs. William H. (See Annuities.)

Barr, Mary A.

notice of appointment as acting chairman of city planning board, placed on file, 160

Barry, John J.

notice of appointment as trustee of Boston sanatorium, placed on file, 63-approved by the civil service commission, 91

Bates (John) Square. (See Squares, Naming and Re-naming.)

Bath House, Jeffries Point. (See Park Department.)

Bath, Michael.

resolution favoring legislation for a pension, referred to the executive committee, 27-report accepted, order passed, 33; order to accept act to pension, referred to the executive committee, 113; order for retirement with pension, passed, 133

Bath Street. (See Purchase of Land, Bath Street.)

Bathing Beach, Brighton. (See Park Department.)

Bathing Facilities, East Boston. (See Park Department.)

Beacon Street Bridge. (See Public Works Department.)

Beef, Weighers of.

BACON, EDWARD J.: appointed, 119-confirmed, 135
 BRODERICK, PATRICK: appointed, 143-confirmed, 164
 CHURCH, W. C.: appointed, 307-confirmed, 316
 CLARK, JOHN J.: appointed, 143-confirmed, 164
 CLARK, JOSEPH F.: appointed, 143-confirmed, 164
 COAKLEY, JOHN P.: appointed, 143-confirmed, 164
 COLLINS, MICHAEL: appointed, 143-confirmed, 164
 CROTHERS, FREDERICK A.: appointed, 143-confirmed, 164
 DEVERY, OSCAR W.: appointed, 143-confirmed, 164
 DOHERTY, JOHN E.: appointed, 143-confirmed, 164
 DONEGAN, J. EDWARD: appointed, 143-confirmed, 164
 DONOVAN, FLORENCE: appointed, 143-confirmed, 164
 DUNN, GRANT: appointed, 143-confirmed, 164
 EISENHAUR, MARK R.: appointed, 143-confirmed, 164
 GALLOWAY, JOHN: appointed, 143-confirmed, 164
 GERRISH, WILLIAM E.: appointed, 143-confirmed, 164
 GOOD, ERNEST C.: appointed, 143-confirmed, 164
 GOULD, IRVING A.: appointed, 143-confirmed, 164
 GRIFFIN, GEORGE F.: appointed, 143-confirmed, 164
 HARRIS, CHARLES H.: appointed, 143-confirmed, 164
 HEIN, RICHARD: appointed, 143-confirmed, 164
 JOHNSON, RALPH: appointed, 143-confirmed, 164
 KEARNS, MARTIN J.: appointed, 143-confirmed, 164
 KEITH, GEORGE W.: appointed, 143-confirmed, 164
 KELLY, WILLIAM A.: appointed, 286-confirmed, 301
 LEONARD, WILLIAM J.: appointed, 143-confirmed, 164
 LINCOLN, DONALD: appointed, 138-confirmed, 147
 MAY, JAMES H.: appointed, 143-confirmed, 164
 McCANN, MICHAEL J.: appointed, 143-confirmed, 164
 MCCARTHY, JUSTIN: appointed, 143-confirmed, 164
 MILLER, WILLIAM G.: appointed, 143-confirmed, 164
 MINDICK, MORRIS: appointed, 56-confirmed, 66
 MURPHY, JAMES: appointed, 143-confirmed, 164
 NANKIN, HARRY: appointed, 34-confirmed, 48
 PATTERSON, HORACE F.: appointed, 143-confirmed, 164
 RIPLEY, WALTER C.: appointed, 143-confirmed, 164
 SECOR, GEORGE D.: appointed, 143-confirmed, 164
 SEGEE, FREDERICK R.: appointed, 143-confirmed, 164
 SHERIDAN, EUGENE: appointed, 143-confirmed, 164
 SHERIDAN, PHILIP H.: appointed, 143-confirmed, 164
 WOOD, FREDERICK P.: appointed, 143-confirmed, 164
 WRIGHT, ALLAN: appointed, 143-confirmed, 164

Belgrade Terrace, Ward 23.

order to accept and lay out as a public street, passed, 241

Bengalia, Father of John L.

resolution favoring legislation for payment of a sum of money to, passed, 315

Bigelow, Henry Forbes.

notice of appointment as art commissioner, placed on file, 91-approved by civil service commission, placed on file, 121

Billings, Edmund.

notice of resignation as transit commissioner, placed on file, 50

Blackall, Clarence H.

notice of appointment as schoolhouse commissioner, placed on file, 195-notice of approval by civil service commission, 210, 211-placed on file, 211

Blakeville Street, Ward 18.

sidewalks: order for construction, passed, 81

Blue Hill Avenue, Wards 21 and 24.

sidewalks: order for construction, passed, 266

Board of Appeal.

members: Joseph J. Crotty, appointed, 64; James H. Fitzpatrick, appointed, 128; James A. McElaney, appointed, 112; Hubert J. Ripley, appointed, 195

Board of Examiners.

members: Henry P. Leonard, appointed, 64; George A. Douglas, appointed, 128; William A. Fish, appointed, 160; John F. Hickey, appointed, 195

Boilers and Heavy Machinery, Weighers of:

BRODERICK, PATRICK: appointed, 143—confirmed, 164
 CAMPBELL, FRANCIS M.: appointed, 56—confirmed, 66
 CLARK, JOHN J.: appointed, 143—confirmed, 164
 CLARK, JOSEPH F.: appointed, 143—confirmed, 164
 COAKLEY, JOHN P.: appointed, 143—confirmed, 164
 CROTHERS, FREDERICK A.: appointed, 143—confirmed, 164
 DEVERY, OSCAR W.: appointed, 143—confirmed, 164
 DOHERTY, JOHN E.: appointed, 143—confirmed, 164
 DONEGAN, J. EDWARD: appointed, 143—confirmed, 164
 DONOVAN, FLORENCE: appointed, 143—confirmed, 164
 DUNN, GRANT: appointed, 143—confirmed, 164
 EISENHAUR, MARK R.: appointed, 143—confirmed, 164
 GALLOWAY, JOHN: appointed, 143—confirmed, 164
 GERRISH, WILLIAM E.: appointed, 143—confirmed, 164
 GOOD, ERNEST C.: appointed, 143—confirmed, 164
 GOULD, IRVING A.: appointed, 143—confirmed, 164
 GRIFFIN, GEORGE F.: appointed, 143—confirmed, 164
 HARRIS, CHARLES H.: appointed, 143—confirmed, 164
 HEIN, RICHARD: appointed, 143—confirmed, 164
 HUBBARD, THOMAS J.: appointed, 86—confirmed, 97
 JOHNSON, RALPH: appointed, 143—confirmed, 164
 KEARNS, MARTIN J.: appointed, 143—confirmed, 164
 LEONARD, WILLIAM J.: appointed, 143—confirmed, 164
 MAY, JAMES H.: appointed, 143—confirmed, 164
 McCANN, MICHAEL J.: appointed, 143—confirmed, 164
 McCARTHY, JUSTIN: appointed, 143—confirmed, 164
 MILLER, WILLIAM G.: appointed, 143—confirmed, 164
 MURPHY, JAMES: appointed, 143—confirmed, 164
 PATTERSON, HORACE F.: appointed, 143—confirmed, 164
 RIPLEY, WALTER C.: appointed, 143—confirmed, 164
 SECOR, GEORGE D.: appointed, 143—confirmed, 164
 SEOE, FREDERICK R.: appointed, 143—confirmed, 164
 SHEDD, RICHARD I.: appointed, 216—confirmed, 228
 SHERIDAN, EUGENE: appointed, 143—confirmed, 164
 SHERIDAN, PHILIP H.: appointed, 143—confirmed, 164
 WOOD, FREDERICK P.: appointed, 143—confirmed, 164
 WRIGHT, ALLAN: appointed, 143—confirmed, 164

Bonds of Indemnity.

notices of receipt of: placed on file, 231, 239, 259

Boodro, Katherine. (See Annuities.)**Book of American Wars.**

order for its removal from the index of the public library, 211—passed, 214; communication regarding placed on file, 230, 289

Boston & Albany Railroad.

abandonment of freight yard: order as to advisability, passed, 55

Boston & Maine Railroad.

railroad police: notice of appointment, placed on file, 161, 195, 238, 239

unclaimed baggage: petition for leave to sell, referred to the committee on unclaimed baggage, 174—report with order to sell, report accepted, order passed, 190; petition for leave to sell, 304—report with order to sell, report accepted, order passed, 308

Boston Committee for Americanism.

message with order for appropriation of \$5,000, to be charged to the reserve fund, referred to the executive committee, 152—report accepted, order passed, 153

Boston Conservation Bureau.

members: Mrs. Eva W. White, Mr. Douglas Flattery, Harry N. Guterman, John H. Johnson, Harry H. Kay, Mrs. Alice M. Maloney, John J. Moragan, Dr. Sarah E. Palmer, Mrs. Frances E. Slattery, appointed, 242

appropriation: message with order for appropriation of \$3,000, to be charged to the reserve fund, referred to the executive committee, 236—report accepted, order passed, 242

ordinance: message transmitting draft of ordinance establishing, referred to the committee on ordinances, 201—report accepted, ordinance passed, 207

Boston Elevated Railway Company.

approval of changes: south of Forest Hills, placed on file, 91

extension of time: petition for, placed on file, 35

hearings; notice of, placed on file, 57, 96, 97, 121, 145, 318

jitneys: petitions for licenses to operate, 289—reports accepted, orders passed, 306

purchase of city land, West Roxbury: message transmitting communication and order for, referred to the committee on public lands, 111—given first reading and passed, 122—given final reading and passed, 135

railway police: notice that certain persons were no longer employed, placed on file, 63, 121; notices of appointments placed on file, 174, 292, 293

relocations: granted, 15th, Blue Hill ave., 217; 16th, corner of Harrison ave. and Kneeland st., 238; 17th, Park st., Dorchester, 238

replacing of present structures: resolution as to advisability of replacing the present elevated structures in Scollay and Adams sqs., passed, 146

sanitary conditions: order to investigate, 35—referred to the executive committee, 36

track locations; granted, 14th, Dorchester ave., 217; 19th, Neponset ave., 292

transfer station, Allston: resolution and order protesting against, passed, 146

Boston Sanatorium Department.

trustee: John J. Barry appointed, 63

organization: Dr. John F. O'Brien, chairman; Dr. James J. Minot, secretary, placed on file, 128

pathologist: message with communication and order for transfer within the department of \$1,166.66, 152, 153—referred to the executive committee, 153—report accepted, order passed, 153

Boundary Monument, Covering of.

notice concerning covering, placed on file, 121

Boylston Street, Ward 22.

sidewalks: order for construction, passed, 174

Brady, Mary M.

message transmitting communication and order for sale of city land to, referred to the executive committee, 56—report accepted, given first reading and passed, 60—given final reading and passed, 71

Braemore Road, Ward 25.

sidewalks; order for construction, passed, 123

Branch Library, Heath Square. (See Library Department.)

Brennan, James H., et al.

petition for disapproval of granting gasoline permit at Beach st., Charlestown, 90-report with order of disapproval, report accepted, order passed, 107

Brickley, David J., Councilor.

lected: president of city council, 11

appointed: committees, 15

member of the Army and Navy Legion of Valor: communication conferring the insignia of the organization and its presentation by Hon. James M. Curley, Mayor, 121

orders and resolves:

acceptance of Belgrade terrace, 241
annuity for Mrs. William C. Swan, 220
appropriation for social law library, 318
branch library, Heath sq., 299
East Boston district court, 253
election returns, 241
group picture, 323
holiday, Evacuation Day parades, 27
July third for city employees, 146
laying out of Elven rd., 92
laying out of Linden st., 92
laying out of Oak ave., 92
laying out of Woodbine rd., 71
legislation for father of John L. Bengalin, 315
legislation for Martin F. Mullen, 315
legislation for Sylvester J. Wynter, 315
municipal employment bureau, 4
naming of Bates (John) sq., 109
naming of Connors (John J.) sq., 93
naming of Cummings (Edward F.) sq., 218
naming of Dowd (John Joseph) sq., 92
naming of Eagan (Edward F.) sq., 122, 123
naming of Flynn (James J.) sq., 93
naming of Giorgione (Gaetano) sq., 259
naming of Giovannani (Joseph J.) sq., 259
naming of Hasson (John Francis) sq., 140
naming of Holmes (John C.) sq., 230
naming of Kelly (William J.) sq., 82
naming of Lyons (Herbert) sq., 169
naming of Mahoney sq., 71
naming of McNamara (Edward) sq., 169
naming of O'Donnell (Alexander) sq., 113
naming of Peterson sq., 71
naming of Queenan (Agnes) sq., 93
naming of Tryder (William A.) sq., 92
new city hall, 4
payment to father of Robert Sheehan, 10
payment to Mrs. Walker A. Smith, 10
pension for Michael Bath, 27, 113, 133
pension system, 140
playground, Baldwin pl., 169
playground, Forest Hills, 27, 146
reinstatement of John J. Dolan, 10
reinstatement of James H. Hanley, 308
repair of flagpoles, 140
rescission of Eagan sq. order, 122
reinstatement of Frank J. Hogan, 71
roping off streets for Marathon race, 71
salary increases, 323
sale of unclaimed baggage, 4
sidewalks, 37 Longfellow st., 202
sidewalks, Atherton st., 259
sidewalks, Boylston st., 174
sidewalks, Braemore rd., 123
sidewalks, Bullard st., 241
sidewalks, Canterbury st., 60
sidewalks, Dana ave., 123
sidewalks, Franklin ave., 203
sidewalks, Hyde Park ave., 123
sidewalks, Jamaica st., 195
sidewalks, Lawn st., 133
sidewalks, Mt. Pleasant ave., 147
sidewalks, Newbury st., 60
sidewalks, Northampton st., 147
sidewalks, Perkins st., 241
sidewalks, Prospect ave., 147
sidewalks, St. Joseph st., 195
sidewalks, Sachem st., 305
sidewalks, Tappan st., 133
sidewalks, Woodman st., 195
tribute to Theodore Roosevelt, 243

remarks:

responding to thanks of the city council, 326

Bride, Thomas. (See Pensions.)

Brittain (William J.) Square. (See Squares, Naming and Renaming.)

Brophy, Thomas R.

resolution favoring legislation to reinstate Thomas R. Brophy, passed, 11-vetoed, 16

Brown, William F.

notice of appointment as inspector in the health department, placed on file, 145

Budget Department.

commissioners: notice of resignation of Rupert S. Carven, placed on file, 44; Thomas J. Ball appointed, 63; Charles J. Fox appointed, 101

temporary commissioner: Rupert S. Carven appointed, 44

record of transfers; order for, referred to the executive committee, 294-report with order, report accepted, order passed, 294-record of transfers received, placed on file, 305

Building Department.

commissioners: Herbert A. Wilson, resigned, 70; Maurice H. Maney, appointed, 70; John E. Mahoney, appointed, 101

temporary commissioner: E. Mark Sullivan appointed, 70

Buildings for Veterans.

equipment for: order that the trustees of the George R. White fund be requested to consider the advisability of providing money for, referred to the executive committee, 106-report accepted, order passed, 107

Bullard Street, Ward 19.

sidewalks; order for construction, passed, 241

Burke (Leonce C.) Square. (See Squares, Naming and Renaming.)

Burlen, Melancthon W.

notice of appointment as member of listing board, placed on file, 63

Byrne, Daniel J.

notice of appointment as secretary of the park commission, placed on file, 112

Cambridge Street. (See Street Laying-Out Department.)

Cambridge Street Bridge, Allston. (See Public Works Department.)

Cambridge Street Bridge, Brighton. (See Public Works Department.)

Campbell, Walter V.

notice of appointment as inspector in the health department, placed on file, 145

Canterbury Street, Ward 23.

sidewalk: order for construction, passed, 60

Carey, John J.

resolution favoring legislation to reinstate, passed, 10-vetoed, 34

Carr, Samuel.

notice of appointment as vice-president of library trustees, placed on file, 121

Carroll, Fred L.

resolution favoring legislation for reinstatement, passed, 54, 305-vetoed, 62, 313

Carven, Rupert S.

appointed city auditor, placed on file, 7-approved by civil service commission, 44; notice of resignation as budget commissioner, placed on file, 44; notice of appointment as temporary budget commissioner, placed on file, 44

Casey, William J.

appointed institutions commissioner, placed on file, 7-notice of withdrawal, placed on file, 35; appointed superintendent of printing, placed on file, 35-approved by civil service commission, 44; notice of appointment as temporary superintendent of supplies, placed on file, 44; notice of appointment as temporary fire commissioner, placed on file, 63

Cedarlane Way.

notice of change of name from Malcolm st., placed on file, 44

Cemeteries. (See Park Department.)**Centennial Story of Boston.**

message with order for printing, to be charged to the appropriation for city documents, referred to the executive committee, 34-report accepted, order passed, 37

Central Park Square, East Boston.

order that name be changed to William J. Kelly sq., passed, 82

Centre Avenue, Ward 20.

sidewalks; order for construction, passed, 195

Centre Street, Ward 15.

sidewalks: schedules, passed, 13

Centre Street, Ward 22.

sidewalks; schedules, passed, 195, 202

Centre Street, Wards 19 and 20.

sidewalks; order for construction, passed, 195

Chamberlain, Percy A.

petition for a license to operate a jitney, 13

Change in Street Name. (See Street Laying-Out Department.)**Charlesgate Gymnasium. (See Park Department.)****Charlestown Storage and Warehouse Company.**

report on order for disapproval of granting gasoline permit at Beach st., Charlestown, report accepted, order passed, 107-vetoed, 111

Chelsea Street, Charlestown.

message with order for loan of \$100,000 for improvement, referred to the committee on finance, 150-report accepted, given first reading and passed, 163

Child Performers. (See Licenses.)**Chisholm (Lawrence C.) Square. (See Squares, Naming and Renaming.)****Chmielinski, John M.**

resolution favoring payment to, passed, 308-vetoed, 313

City and County Employees.

monthly pay roll: order to pay on or before December 22, 1922, passed, 259

City Charter Legislation.

resolutions and order opposing changes, 25-passed, 26

City Council.

inauguration: page 1

list of members:

BRICKLEY, DAVID A., president
DONOGHUE, JOHN A.
FORD, FRANCIS J. W.
GILBODY, GEORGE F.
HAGAN, HENRY E.
LANE, DANIEL W.
MORIARTY, JAMES T.
WALSH, WILLIAM J.
WATSON, JAMES A.

members: oath of office administered to William J. Walsh, John A. Donoghue and George F. Gilbody, 1

meetings: special 124, 142, 149 191, 284, 296, 302, 303

president: order to proceed to election of, no choice, 3, 4, 5, 10, 11; David J. Brickley, elected, 11

committees: standing and special, 4, 15, 219, 295

chair for Councilor Francis J. W. Ford: order to sell to members and officials, passed, 325

flags, ropes and stakes: order that repairing of flagpoles be charged to, passed, 140

group picture: order that city messenger be directed to obtain, passed, 323

incidental expenses: investigation of superior criminal court office, passed, 169; election returns, expense attending, 241

invitations: notice of invitation to review the annual parade of the Boston police department, placed on file, 210; invitation to visit the preventorium of the Boston tuberculosis association, placed on file, 210; invitation to attend the dedication of the South Boston Ambulance Station, 271

resolves:

annuity for Mrs. Anthony Fitzpatrick, 305

city charter legislation, 25

city tax limit, 7

closing of Navy Yard, 64, 65

concerning county rule, 14

convention invitation, 33

election of judges, 11

favoring legislation for annuity to Katherine Boodro, 318

favoring legislation for payment of an annuity to Mrs. Michael J. Coyne, 315

favoring legislation for payment of an annuity to Mrs. Daniel J. Driscoll, 315

favoring legislation for payment to the father of John L. Bengalia, 315

favoring legislation for pension to Elias J. Stewart, 315

favoring legislation for reinstatement of James F. Clark in the police department, 318

favoring legislation for reinstatement of Daniel F. Dwyer in the fire department, 318

favoring legislation for reinstatement of William F. Hutchinson, 315

favoring legislation for reinstatement of James Kelly in the institutions department, 318

favoring legislation for reinstatement of Martin F. Mullen, 315

City Council, continued.**resolves:**

- favoring legislation for reinstatement of Sylvester J. Wynter, 315
 favoring legislation reinstating Thomas J. Gavin, 84
 favoring legislation to reimburse William J. Magee, passed, 113
 favoring reinstatement of Thomas Gaffney, 308
 increase of pension of Warren J. Stokes, 10
 legislation concerning firearms, 82
 legislation favoring Mrs. Michael J. Coyne, 80
 legislation favoring reinstatement of Michael N. O'Meara, 97
 legislation favoring William Segal, 37, 129
 legislation for Joseph V. Cummings, 309
 legislation for Joseph W. Murray, 91
 legislation for payment to parents of J. J. Kelley, 129
 legislation for payment to sister of Daniel J. McShane, 97
 motion picture censorship, 243
 payment to Daniel Thompson, 14
 payment to father of Robert Sheehan, 10
 payment to John M. Chmielinski, 308
 payment to Mrs. Lawrence Flanagan, 10
 payment to parents of John Joseph Kelly, 10
 payment to Mrs. Walker A. Smith, 10
 pension for Michael Bath, 27
 pension for Mrs. Elizabeth J. Dineen, 7
 pension for Minnie O. Dunton, 10
 pension for Richard A. Friel, 27
 pension for J. Alfred Mitchell, 308
 preference to citizens of Boston, 48
 protest against state legislation, 65
 protesting against transfer station, Allston, 146
 re-employment of James Kelly, 46
 reimburse D. Doherty Company, 10
 reinstatement of Francis L. Amann, 305
 reinstatement of Thomas R. Brophy, 11
 reinstatement of John J. Carey, 10
 reinstatement of Fred L. Carroll, 54, 66, 305
 reinstatement of John J. Dolan, 11
 reinstatement of James H. Hanley, 308
 reinstatement of Richard J. Kelly, 7
 reinstatement of Michael W. O'Meara, 305
 reinstatement of Daniel J. O'Sullivan, 46
 reinstatement of Philip J. Powers, 10
 replacing of elevated structures, 146
 suppression of Ku Klux Klan, 220, 221
 thanks to retiring president, David J. Brickley, 325
 to reimburse D. Doherty Company, 301
 transit commission to give preference to citizens of Boston, 48
 tribute to General Edwards, 274
 veterans' compensation, 35
- roping off streets:** orders for expense to be charged to appropriation for city council, passed, 71, 82
- rules:** order that rules of 1921 be adopted as rules of 1922, passed, 4;
 order for appointment of special committee, passed, 4
- secretary:** order establishing salary, referred to the executive committee, 323—report accepted, order passed, 325
- unfinished business:** order that all unfinished business of 1922 be referred to the city council of 1923, passed, 325

City Council of 1921.

- unfinished business:** order to refer to committees of 1922, passed, 4

City Documents.

- Boston Post article:** order to print, 217—passed, 218
- centennial story of Boston:** order to print, referred to the executive committee, 34—report accepted, order passed, 37
- hearing for removal of certain histories from the schools:** order to print, passed, 265
- inspection of prisons:** report of committee, ordered printed, 323
- list of claims:** order to print, report accepted, ordered printed, 325
- speech of Hon. W. Bourke Cockran:** order to print, passed, 231

City Documents, Printing of. (See Printing Department.)**City Employees.**

- half-holiday:** order for those in Evacuation Day parade, referred to the executive committee, 27—report accepted, order passed, 33
- holidays:** order for, July 3, passed, 146
- leave of absence:** order to grant for delegates, September 30, October 1 and 2, 1922, passed, 190; order for delegates to the convention of the American Legion, October 12 to 16, passed, 218

City Employees, continued.

- retirement of Spanish War veterans:** message with order for acceptance of act, referred to the executive committee, 227—report accepted, order passed, 227
- salaries:** order as to advisability of increasing salaries of doctors and nurses, passed, 4
- sick leave:** order for legislation authorizing sick leave without loss of pay, passed, 315
- Spanish war veterans:** order for leave of absence, April 17, 18, 19—passed, 59
- wages per diem:** order for legislation for payment in case of absence on account of sickness, 266—passed, 267—vetoed, 277

City Lands.

- lease of:** order for, Warren ave., Charlestown, referred to the executive committee, 259—report accepted, order passed, 276—given final reading and passed, 295; order for, Washington st., West Roxbury, 273, 274—referred to the executive committee, 274—report accepted, order passed, 276—given final reading and passed, 295

City Messenger's Department.

- city messenger:** order establishing salary, referred to the executive committee, 323—report accepted, order passed, 325
- assistant:** order establishing salary referred to the executive committee, 323—report accepted, order passed, 325
- election returns:** order for receiving, passed, 241
- flagpoles:** order for necessary repairs, passed, 140
- roping off streets:** order for, to be charged to appropriation for city council, passed, 71; order for, to be charged to appropriation for city council, passed, 82

City Planning Board.

- members:** John J. Walsh appointed, 64
- organization:** Frederick H. Fay, chairman; Mary A. Barr, acting chairman; Elisabeth M. Herlihy, secretary, 160
- comprehensive city plan:** message transmitting communication and order for appropriation of \$10,000, to be charged to the reserve fund, 19, 20, 21—referred to the executive committee, 21—report accepted, order passed, 33; message transmitting communication and order for appropriation of \$10,000, to be charged to the reserve fund, 225, 226—referred to the executive committee, 226—report accepted, order passed, 228

"City Record."

- message with draft of amendment, 307, 308—referred to the executive committee, 308—report accepted, ordinance passed, 309

City Register.

- Edward W. McGlenen appointed, 63—confirmed by civil service commission, 76

City Tax Limit.

- resolution favoring passing of House Bill No. 946, passed, 7

Claims.

- given leave to withdraw:** 318, 319, 320, 321, 323, 324, 325
- list of all claims acted upon during municipal year:** printed as city document, No. 123, report accepted, ordered printed, 325
- petitions:** referred, 6, 13, 24, 34, 43, 44, 50, 57, 63, 69, 76, 90, 96, 101, 112, 120, 127, 128, 139, 145, 159, 160, 167, 171, 182, 183, 194, 202, 210, 217, 220, 230, 238, 246, 257, 263, 271, 278, 288, 297, 298, 304, 308, 314, 315, 317, 318
- claims:**
- ABBOTT, Mrs. ANNA E.: for refund, 238
- ABOOZBEE, E. K.: for damage to property, 13
- ADAMS BROTHERS: for refund, 112
- AFFA, FREN: for damage to automobile, 182
- AFFSA, FREN: for damage to car, 297
- AHEARN, LENA: for personal injuries, 194
- ALESSANRO, SALVATORE: for damage to cart, 202
- AMA, CHARLES: for personal injuries, 308

Claims, *continued*.

AMANTE, FORTUNE: for damage to automobile, 304
 AMERICAN OIL COMPANY: for damage to truck, 314
 AMERICAN RAILWAY EXPRESS COMPANY: for damage to truck, 50
 ANDELMAN, COLEMAN: for refund, 194
 ANDERSON, ERLING: for damage to automobile, 317
 ANDERSON, JOHN A.: for personal injuries, 304, 314
 APPLEMAN, S. H., & Co.: for damages by water, 202
 APTAKER, WOLF: for damage to property, 304
 ARAFE, EDWARD W.: for personal injuries, 127
 ARENSTEIN JACOB: for window broken, 317
 ARLINGTON CEMENT BLOCK COMPANY: for damage to automobile, 288
 ARMOUR LEATHER COMPANY: for expense incurred, 160
 ARMSTRONG TRANSFER EXPRESS COMPANY: for damage to taxicab, 217
 ARNOLD, CHARLES H.: for personal injuries, 57
 ARONOFF, A. Z.: for refund, 194
 ARONSON, REBECCA: for personal injuries, 271
 ASPACHER, WILLIAM C.: for refund, 246
 ATCHIKOFF, ROSE: for personal injuries, 317
 ATHERTON, WALTER, TRUSTEE OF ESTATE OF SAMUEL ATHERTON: for damage to property, 278
 ATLANTIC CONE COMPANY: for damage to truck, 159
 ATTRIDGE, CATHERINE: for personal injuries, 202
 ATTRIDGE, FREDERICK W., JOSEPH W., CATHERINE, AND BURGESS, ROSE, AND HART, AGNES: for personal injuries, 246
 BABA, JAMES: for personal injuries, 257
 BALLARD, W. H., & Co.: for damages to property, 127
 BARATTA, E. M.: for damage to motor car, 69
 BARNET, LUCIUS: for damage to motor car, 238
 BARNSTEAD, ESTATE OF ROBERT: for expense incurred, 96
 BARRY, NELLIE F.: for personal injuries, 194
 BASCH, ARTHUR M.: for damage to automobile, 246
 BASHITZKY, LEO: for refund of fee, 139
 BASS, BERNARD: for personal injuries and for damage to property, 314
 BATCHELDER & SNYDER COMPANY: for damage to truck and contents, 96
 BATTAGLIA, A.: for pane of glass broken, 76
 BEACON CREAMERY COMPANY: for damage to truck, 314
 BEANE, HELEN: for personal injuries, 271
 BEARSE, WILLIAM I.: for damage to automobile, 145
 BEATON, ALEXANDER: for damage to automobile, 238
 BEAUDRY, CHARLES H.: for damage to automobile, 194
 BECHERMAN, SAMUEL: for damage caused by an automobile, 171
 BEEGAN, MRS. JAMES E.: for personal injuries, 167
 BELYEA, EUNICE E.: for personal injuries, 90
 BERG, MABEL: for personal injuries, 139
 BERGER, SAMUEL L.: for refund, 63
 BERKOVITZ, ROSE: for damages to property, 167
 BERRIER, WILFORD J.: for damage to automobile, 44
 BERRY, DONGE COMPANY: for damage to automobile, 246
 BILLING, MARY E.: for personal injuries, 271
 BINDER, ISRAEL N.: for personal injuries, 297
 BIRKENMEYER, EVELYN L.: for damage to clothing, 288
 BISSELL, LEET W., TRUSTEE: for expense incurred, 194
 BLACK, ABRAHAM: for damage to property, 210
 BLAKE, JOHN C.: for damage to property, 194
 BLANCHARD, MARY: for hearing on claim, 230
 BLOCK, LILLIAN: for personal injuries, 210
 BLOOM, MORRIS: for damage to car, 128
 BOLES, MARTHA J.: for damages caused by blasting, 297
 BONUGLI, MARY: for expense of raising land, 288
 BOOTHMAN, ANNIE B.: for personal injuries, 167
 BORGHETTI, THOMAS, AND GERARDO COLLUSSI, BARBARA DESANTIS, LIBERATO PADNANO, OTTINO PERRETTI: for personal injuries received on ferryboat, 63
 BOSSI, ROMEO N.: for damage caused by a defective sewer, 159
 BOSSI, ROMEO W.: for damage to property, 194
 BOSTON MOTOR TRANSPORTATION COMPANY: for damage to truck, 271
 BOSTWICK, MRS. RALPH L.: for personal injuries, 24
 BOWEN, E. E.: for damage to property, 288
 BRADY EDWARD F.: for hearing on claim, 194
 BRADY, MARGARET E.: for personal injuries and for expenses incurred, 112
 BRAGG, CHARLOTTE: for personal injuries, 145

Claims, *continued*.

BRAVACA, JOHN: for personal injuries, 182
 BRENNER, LUCILE: for damage to automobile, 139
 BRICKLEY, DAVIN J.: for damage to automobile, 220
 BRIGHTON DRESSED MEAT COMPANY: for injury to horse, 194
 BROMBERG, MAX D.: for damage to property, 194
 BRONSTEIN, MAX: for damage to automobile, 63
 BROWN, E. W.: for damage to automobile, 210
 BROWN, GEORGE H.: for refund of bill, 159
 BROWN, WILLIAM H.: for personal injuries, 202
 BRUNO, MRS. SANTA: for personal injuries, 159
 BULLOCK, CHARLES H.: for expenses incurred, 127
 BURKE, JAMES E.: for damage to car, 127
 BURNHAM, W. S., COMPANY: for injury to horse, 194
 BURNS, EDWARD C.: for damage to car, 314
 BURNS, SARAH A.: for clothing lost by her son, 171
 BURROWS, FRANK: for damage to property, 13
 BUSHWAY ICE CREAM COMPANY: for damage to horse, 90
 BUTLER, JOHN A.: for damage to automobile, 145
 BYRNE, JOHN J.: for overcoat stolen, 288
 CADEGAN, ESTHER R.: for damage to clothing, 171
 CADIGAN, MRS. JOHN J.: for loss of her son, 171
 CADIGAN, MARY L.: for death of son, 76
 CAMBRIDGE GAS LIGHT COMPANY: for damage to barge, 50
 CANN'S COMMISSARY: for damage to truck, 63
 CAPONE, FRANK: for personal injuries, 13
 CARAPEZZA, LEONARD: for damage to property, 271
 CARBONE, PRINCE NUNZIO: for damage to property, 159
 CARBONI, PASQUALE: for damage to property, 278
 CAREY, ALICE: for hearing on claim, 194
 CAREY, MRS. FREYA I.: for personal injuries, 265
 CAREY, MARGARET E.: for personal injuries, 120, 159
 CARP, HARRY: for damage to automobile, 202
 CASEY, JAMES J.: for expense of repairing drain, 257
 CAUMAN, GERTRUDE: for personal injuries, 210
 CHADWICK, EDNA S.: for personal injuries and damage to clothing, 257, 288
 CHANDLER, L. E.: for damage to automobile, 13
 CHAPIN, ARTHUR W.: for damage to automobile, 271
 CHILDS, SLEEPER & Co.: for damage to automobile, 127
 CHINCHIOLO, FRANK P.: for personal injuries, 288
 CHISHOLM, MARGARET: for injury to hand, 171
 CHRISTY, MRS. CARRIE M.: for damage to clothing, 127
 CHURCHILL, MRS. JAMES B.: for personal injuries, 265, 288
 CHUTJIAN, ANNA T.: for loss of a ring, 210
 CIAMPA, NICHOLAS: for damage to property, 194
 CICCIO, PASQUALINA: for personal injuries, 13
 CITY LAUNDRY COMPANY: for injury to horse and wagon, 120
 CLASBY, PETER: for damage to car, 194
 CLAYMAN, MARY: for personal injuries, 257
 CLEAR, ELIZABETH G.: for refund of fee paid, 96
 COAN, MRS.: for personal injuries, 120
 COFFEY, DENNIS A.: for damage to automobile, 271
 COFFEY, FRANK: for personal injuries, 50
 COFFEY, ISABELLE: for damage to property, 238
 COFFIN, JOSEPH L.: for personal injuries, 194
 COHEN, ABRAHAM: for coat and gloves taken, 50
 COHEN, DAVID: for hearing on claim, 159
 COHEN, DAVID B., AND FRANK DiNATALE, EMMA G. LAWLER, HELEN, M. LAWLER, HARRY SLOTTNICK, FILOMENA VITALE, for injuries received on ferryboat, 44
 COHEN, HARRY: for personal injuries, 194
 COHEN, JULIUS AND JOSEPH: for damage to car, 210
 COHEN, MRS. LENA: for personal injuries, 308
 COHEN, MEYER J.: for damage to automobile, 102
 COLARUSSO, ALFONZINA: for window broken, 127
 COLBURN, CARO F.: for personal injuries, 318
 COLBY, FLORENCE: for hearing on claim, 34
 COLEMAN, J. C., & SONS COMPANY: for work done, 76
 COLLIER, CHESTER F.: for damage to automobile, 167
 COLLINS, ANNIE T.: for personal injuries, 76
 COLLINS, JOHN: for damage to automobile, 171
 CONDRIK, HELEN L.: for damages to clothing and umbrella, 314

Claims, *continued.*

CONGDON, BLANCHE: for personal injuries, 24, 63
 CONLON, JENNIE: for personal injuries, 246
 CONNELL, ALICE: for personal injuries, 265
 CONNELLY, THOMAS H.: for expense incurred, 128
 CONNERS, ANNIE: for damage to horse, etc., 159
 CONNOLLY, MARTIN J.: for damage to automobile, 159
 CONNORS, MRS. ALICE M.: for damage to property, 265
 CONNORS, JOHN, JR.: for personal injuries, 288
 CONROY, WINIFRED L.: for loss of pay and for expenses incurred, 304
 COOK, GERTRUDE A.: for personal injuries, 246
 COOLIDGE, WILLIAM HUMPHREY: for damage to automobile, 297
 COOPER, SUMNER J.: for damage to automobile, 304
 CO-OPERATIVE GROCERY STORES COMPANY: for window broken, 6
 CORTESE, JOSEPH: for personal injuries, 217
 CORVILLE, SARAH: for personal injuries, 63
 COSMOPOLITAN DRUG COMPANY: for damage to property, 314
 COTTER, JAMES J.: for refund, 13
 COURTNAY, W. S.: for clothing torn, 230
 COX, J. R.: for damage to car, 171
 COX, WILLIAM: for personal injuries, 297
 CRANE, H. R., & Co.: for damage to horse, 63
 CROCKER, WILLIAM H.: for personal injuries, 304
 CROWLEY, GEORGE: for personal injuries, 50
 CROWLEY, MRS. CATHERINE: for damage to property, 265
 CUCCHIARA, ALESSANDRO: for personal injuries, 101
 CULLEN, JOSEPH: for false teeth, 202
 CULLINAN, WILLIAM J.: for personal injuries and for damage to clothing, 238
 CUMMINGS, WILLIAM T.: for money lost, 171
 CUNNINGHAM, W. H.: for personal injuries and for damage to clothing, 288
 CURNS, MARY: for clothing lost, 194
 CURTIN, NORA DEE: for damage to property, 50
 CUTTER, ANNA F.: for damage to property, 139
 DACEY, MARGARET: for personal injuries, 238
 DALE, KATHERINE M.: for money stolen, 50
 DAMIANO, MICHAEL: for personal injuries, 304
 DANTON, CHARLOTTE: for personal injuries, 171
 DAVIS, ALFRED: for hearing on claim, 230
 DAVIS, CLARENCE F.: for damage to property, 220
 DEANE, L. S.: for damage to automobile, 139
 DEANGELO, JOSEPH: for damage to automobile, 257
 DELSCHLAGER, A.: for damages to property, 112
 DELUCA, ANTONIA: for refund of fee, 128
 DEMIRJIAN LAMP AND RADIATOR COMPANY: for damage to automobile, 13
 DEMLING, CAROLINE: for damage to property, 57
 DESALVO, MRS. JOSEPHINE: for personal injuries, 159
 DEVINE, HELEN J.: for personal injuries, 112
 DEWILDT BROTHERS EXPRESS COMPANY: for damage to truck, 314
 DIAMOND, SARIE: for personal injuries, 120
 DICK, GILBERT W.: for injury to horse, 194
 DI LUCCA, A., COMPANY: for damage and extra expense incurred, 278
 DI NAPOLI, P., & Co.: for damage to caravan, 159
 DI NATALE, SALVATORE: for personal injuries, 194
 DI STACIO, VINCONT: for personal injuries, 159
 DOERING, WILHELMINA: for damage to property, 194
 DOLAN, KATHERINE: for personal injuries, 96
 DOLBEARE, HOWARD M.: to be reimbursed expense of suit, 194
 DONNARUMA, LOUIS: for damage to automobile, 159
 DONOVAN, JAMES: for personal injuries, 159
 DONOVAN, MARY: for personal injuries, 76
 DONOVAN, WILLIAM W.: for damage to automobile, 171
 DOOLEY, JAMES A.: for personal injuries, 34
 DORAN, MRS. JOHN J.: for personal injuries, 194
 DORGAN, JENNETTE M.: for personal injuries, 202
 DORR, CARL E.: for damage to automobile, 171
 DOUGLAS, BENJAMIN: for damage to clothing, 76
 DOWLING, ARNOLD L.: for personal injuries, 210
 DOYLE, M., & Co.: for damage to truck, 217
 DRAZIN, ESTHER: for damage to property, 43
 DRISCOLL, NORA: for hearing on claim, 257
 DRURY, J. H.: for damage to motor car, 50

Claims, *continued.*

DUNN, FRANCES: for personal injuries, 304
 DUPONT, ANNA: for personal injuries, 304
 DURST, ALICE M.: for damages by blasting, 159
 DYKEMAN, HARRY E.: for personal injuries, 271
 ECCLESTON, JOSEPH P.: for fruit tree, 63
 EDINBERG & GOLDEN COMPANY: for window broken, 159
 ENSON MANUFACTURING CORPORATION: for refund, 63, 101
 EGAN, BRIDGET: for personal injuries, 57
 EGAN, ROSE: for clothing damaged, 288
 EICHBAUM, JULIA BEEBE: for personal injuries, 50
 ELRICK, ROBERT H.: for damage to car, 308
 EPICURE CLUB BOTTLING COMPANY: for damage to truck, 257
 ESTABROOK & SIBLEY COMPANY: for damage to goods, 246
 EVANS, JAMES W.: for damage to automobile, 145
 EYGES, JENNIE: for personal injuries, 297
 FAGAN, JOHN: for personal injuries, 50
 FAHEY, MARGARET L.: for glasses broken and for personal injuries, 34
 FALLON, T. F.: for window broken, 139
 FARRAR, MARY A.: for damages to property, 76
 FASH, FLORENCE: for personal injuries, 145
 FEELEY, ELLEN: for damage to property, 50
 FENTON, MARY: for personal injuries, 128
 FERCUSON, KENNETH M.: for expense incurred, 76
 FERRY, PASQUALE, AND SALVATORE GIOVANNI: for injuries received on ferryboat, 44
 FETHERSTON, MARY C.: for personal injuries, 57
 F. GRAY COMPANY: for damage to property, 159, 182
 FINN, MARY, ESTATE: for gate destroyed, 265
 FISHER SCHOOL OF MECHANICAL DENTISTRY: for showcase broken, 34
 FITZPATRICK, ANNA E.: for personal injuries, 63
 FITZPATRICK, CORNELIUS: for \$70 taken from him, 230
 FLEMING, ANNA L.: for personal injuries, 210
 FOLEY, THOMAS B., M. D.: for damage to automobile, 288
 FORZIATI, FRANK: for damage to property, 159
 FREEDBERG, HARRIS: for damage to property, 257
 FREEMAN, EDWARD F.: for refund, 43
 FRENIER, ARTHUR J.: for damage to automobile, 194
 FRUMAN, IDA: for personal injuries, 194
 FULGONI, JOSEPH: for personal injuries, 304
 FULLER, JULIA H.: for personal injuries, 246
 GALBRAITH, G. J.: for damage to automobile, 220
 GALBRAITH, G. J.: for personal injuries and for damage to automobile, 304
 GALBRAITH, GEORGE B.: for damage to automobile, 43
 GALLAGHER, SARAH: for personal injuries, 304
 GAMBINO, JOHN: for damages to property, 101
 GANS BROTHERS (BY J. W. WESTCOTT): for damage to automobile, 139
 GARRIGAN, PETER R.: for personal injuries, 182
 GASTON, WILLIAM A.: for collapse of boilers, 210
 GATCHELL, SARAH E.: for teeth taken away, 128
 GAYNOR LUNCH COMPANY, INC.: for damage to property, 6
 GELLER, MRS. FLORA: for personal injuries, 288
 GENERAL ELECTRIC COMPANY: for damage to car, 288
 GENERAL MOTORCYCLES SALES COMPANY: for rebate, 171
 GEORGE, ELIZABETH: for personal injuries, 194
 GIGLIO, JOSEPH: for personal injuries, 128
 GILDEA, ELIZABETH V.: for personal injuries, 288
 GILLESPIE, BESSIE: for collapse of boiler, 230
 GILLIS, ALVINA: for personal injuries, 257
 GILLIS, JAMES: for damage to automobile, 44
 GILMAN, CATHERINE: for personal injuries, 63
 GIOTOSA, HENRIETTA: for damage to automobile, 101
 GIVIOSA, H.: for damage to automobile, 120
 GLAVIN, JOHN H.: for damage to property, 257
 GLAVIN, MICHAEL D.: for damage to automobile, 230
 GLAZER, MAE S.: for damage to truck, 217
 GLENNON, GEORGE L., Co.: for damage to goods and fixtures, 50
 GOIDE, ELI: for personal injuries, 194, 210
 GOLDBERG, ISRAEL J.: for personal injuries, 50
 GOLDBLATT, FLORENCE: for personal injuries, 139
 GOLDEN, L., M. D.: for damage to car, 288
 GONSER, CHRISTINE: for personal injuries, 194

Claims, *continued.*

GOODE, JAMES A.: for personal injuries, 257
 GOODMAN, ROSE: for personal injuries, 194
 GOODWIN, MRS. EMMA J.: for personal injuries, 76
 GORDON, ALBERT: for refund, 210
 GORIN, MORRIS: for damage to house, 314
 GORMAN, MARY: for damage to property, 194
 GORMAN, NORA G.: for damage to property, 43
 GORMLEY, CHARLOTTE: for hearing on her claim, 257
 GRAY, MARION: for damage to motor car, 128
 GREEN, BRIDGET H.: for personal injuries, 317
 GREEN, JACOB L.: for collapse of boilers, 238
 GREENBERG, A., POULTRY COMPANY: for loss of business, 159
 GREENBURG, S.: for extra cost, 159
 GREENE, ESTATE OF P. J.: for expense incurred, 120
 GREENE, HENRY J.: for damage to automobile, 101, 194
 GREER, MARGARET: for damage to property, 6
 GRIDLEY, GEORGE A., & AMEIA, A.: for damage to property, 314
 GROSSMAN, ANNIE: for personal injuries, 34
 GUARNERA, CARMELO AND VISCONTI, VINCENZO: for damage to their estates, 167
 GUBERMAN, M.: for damage to wagon, 128
 GUTTENTAG, JOSEPH: for personal injuries, 317
 HACKETT, WILLIAM N.: for damage to property, 13
 HALEY, FREDERICK L.: for coat stolen, 57
 HALL, JOHN P.: for personal injuries, 44
 HALPERIN, BENJAMIN: for damage to automobile, 112
 HANCOCK, ALICE H.: for damage to clothing, 288
 HANEY, AGNES M.: for boiler burst, 112
 HANLON, LENA: for damage to property, 278
 HARDING, ELIZABETH A.: for damage to property, 304
 HARRIS, JOSEPH L.: for injury to automobile, 167
 HARRIS, LUTHER R.: for personal injuries, 230
 HARTSON, MRS. MARGARET S.: for damage to property, 210
 HAYES, ESTATE OF KATIE: for damage to property, 230
 HAYES, T. A. J.: for damage to car, 194
 HAYMARKET TIRE COMPANY: for damage to property, 194
 HAYS, JAMES H.: for damage to automobile, 43
 HEALEY, JOHN H.: for damage to property, 182
 HEALY, MARY A.: for loss caused by tearing down of building, 159
 HECHT, SARAH: for personal injuries, 246
 HELLAR, VICTORIA: for personal injuries, 171
 HELMAN, ISAAC: for personal injuries, 112
 HENDRY, MRS. ADDIE C.: for damage to coat, 90
 HICKEY, MARION: for hearing on claim, 171
 HIGGINS, F. A.: for shoes torn, 238
 HILLIARD, J. E.: for expense incurred, 43
 HILSER, ARTHUR: for ash barrels taken, 43
 HILTON, S. O.: for damage to automobile, 202
 HINES, J. HARRY: for damage to automobile, 297
 HJELMBERG, FRIDA M.: for damage to property, 304
 HOLLISTON HILLS, INC.: for damage to property, 246
 HOLMAN, WALTER A.: for damage to property, 304
 HOLMAN & Co., INC.: for damages to property, 304
 HOLMERANS, CARL: for damage to property, 257
 HOOTSTEIN, HYMAN: for damage to property, 194
 HORAN, GEORGE T.: for refund on bill for paving, 145
 HERRIGAN, J. H.: for damage to wagon, 271
 HOTTLEMAN, ROBERT: for personal injuries, 271
 HOWARD, EMELINE M. J., AND KNIGHT, EDWARD L.: for damage to property, 210
 HOWARD, WILLIAM: for damage to automobile, 257, 265 (2)
 HUGHES, ARTHUR T.: for damage to automobile, 304
 HUGHES, JAMES, JR.: for damage to barge, 246
 HUNTER, BENJAMIN: for personal injuries, 101
 HURLEY, GEORGE D.: for personal injuries, 50
 HUTCHINSON, MADELINE: for fur coat torn, 278
 HUTCHINSON, WILLIAM: for damage to post, 76
 HYMAN, JACOB: for damage to clothing and for personal injuries, 90
 HYMAN, MARY E.: for hearing on claim, 265
 IGOE, ROBERT J.: for personal injuries, 257
 IMBRUGLIA, FRANK: for damage to automobile, 217
 IOKEPA, FRANK S.: for money taken from him, 246

Claims, *continued.*

IRELAND, FRANK: for personal injuries and damage to clothing, 159
 JACOBS, DAVID: for damage to automobile, 314, 315
 JACOBS, RALPH R.: for damage to automobile, 238
 JANSE, JOHN A.: for injury to horse, 63
 JAYES, MARTIN: for personal injuries, 210
 JEPSON, MRS. KAREN: for personal injuries, 202
 JOHNS-MANVILLE, INC.: for damage to window, 278
 JOHNSON, ARTHUR F.: for damage to automobile, 217
 JOHNSON, ARTHUR S.: for damage to automobile, 317
 JOHNSON, MARY C.: for personal injuries, 194
 JOHNSON, MINA P.: for personal injuries, 112
 JOHNSON, RUTH: for personal injuries, 128
 JOHNSTON, A. A.: for collapse of boiler, 202, 315
 JONES, BRIDGET: for blanket lost, 210
 JONES, CHARLES: for blanket lost, 220
 JOYCE, FLORENCE: for personal injuries, 288
 KAGNO, A.: for damage to sidewalk, 63
 KALLOM, ARTHUR W.: for damage to automobile, 315
 KAPLAN, LENA: for personal injuries, 288
 KATZMAN, DORA: for personal injuries, 57
 KATZOFT, ANNIE: for accident, 278
 KAUFMAN, MRS. LENA: for personal injuries, 159
 KEANE, CATHERINE H.: for retaining wall, 90
 KEEFE, JOHN F.: for damage to car, 257
 KEELEY, CLAIRE: for personal injuries, 288
 KEELEY, MARY: for personal injuries, 288
 KELLEHER, RICHARD W.: for personal injuries, 194
 KELLEY, MRS. CATHERINE: for personal injuries, 13
 KELLIHER, ELIZABETH: for personal injuries, 96
 KELLY, EDWARD F.: for overcoat destroyed by fire, 297
 KELLY, MARGARET: for personal injuries, 271
 KENDALL BROTHERS: for damage to truck, 128
 KENTERWITZ, MRS. II.: for personal injuries, 76
 KEYLOR, F. W.: for garbage pail, 69
 KIERNAN, JOHN E.: for damage to property, 90
 KIMBALL, DUDLEY G.: for damages to automobile, 139
 KIMBALL, MRS. EDWARD T.: for damage to automobile, 304
 KING, J. R.: for coat torn, 6
 KLAYMAN, FANNIE: for personal injuries, 230
 KNIGHTON, RUTH OLIVE: for clothing taken, 246
 KOHLER, ELIZABETH K.: for personal injuries, 288
 KOLODNY, MR.: for damage by a leak, 145
 KONOWITZ, SONIA: for damage to automobile, 128
 KOPEL, A.: for damage to property, 171
 KOSTER, ARTHUR L.: for return of fee, 43
 KRAVITZ, SAMUEL: for personal injuries, 210
 KRESSER, H. J.: for damage to automobile, 288
 KRINSKY, IDA: for personal injury, 34
 KRITZMAN, FRED: for hearing on claim, 194, 202
 LABATE, EUGENE: for damage to truck, 159
 LA COURT, NETTIE: for damage to property, 159
 LAMBERT, THOMAS: for personal injuries, 194
 LANDERS, J. P.: for damage to automobile, 317
 LANE, ESTATE OF THOMAS J.: for damage to fence, 101
 LANGORNA, ROSA: for personal injuries, 182
 LARKIN, JOHN WILLIAM: for personal injuries, 217
 LA ROSA, JOSEPH: for personal injuries, 159
 LARSON, CHARLES J.: for damage to automobile, 278
 LAWLER, EMMA G., AND HELEN M.: for personal injuries, 69
 LAWS, JOHN: for glass sign broken, 288
 LAZARUS, HENRY I.: for damage to automobile, 145, 159
 LEARY, MRS. DAVID: for personal injuries, 6
 LEAVITT, JOHN F.: for damage to automobile, 288, 304
 LEBOWICH, SAMUEL: for damage to car, 257
 LEE, DELIA: for damage to property, 160
 LEE, ERNEST R.: for damage to automobile, 167
 LEGAREO, CHARLES: for damages to property, 139
 LEHAN, ANNIE V.: for personal injuries, 271
 LENNON, GERTRUDE E.: for damage to automobile, 139
 LENNON, MARY E.: for damage to property, 145
 LENZ, HOWARD G.: for personal injuries, 257
 LEO, FLORA: for personal injuries, 238

Claims, *continued*.

LEONARD, ANNIE: for personal injuries, 140
 LEONARD, JOHN F.: for refund, 140
 LEUTHY, CHRISTINA M.: for personal injuries, 182
 LEVINE, A.: for damage to property, 314
 LEVINE, LOUIS: to be guaranteed against expense, 265
 LEVINSON, ISRAEL: for damage to automobile, 128
 LEWIS, H. S.: for damage to car, 62
 LEWIS, MORRIS: for personal injuries, 24
 LIGIERE MICHLENA: for personal injuries, 63
 LINK, MARY L.: for damage to property, 304
 LINSOTT MOTOR COMPANY: for expense incurred, 297
 LIPPMAN, SAUL L.: for damage to automobile, 76
 LITTLE, CAROLINE J.: for personal injuries, 246
 LoCONTE, L. & Co., for damage to automobile, 96
 LONG, JEANETTE M.: for personal injuries, 288
 LONG, NELLIE: for personal injuries, 304
 LONG, WILLIAM J.: for damage to property, 246
 LOPES, FRANCIS P.: for amount of judgment against him, 308
 LOTTO, GERTRUDE: for personal injuries, 160
 LYDON, MICHAEL J.: for damage to property, 194
 LYONS, FLORENCE E.: for personal injuries, 202
 MACDONALD, DONALD S.: for damage to truck, 308
 MADDISON, A. N., assistant treasurer: for hyatt light broken, 315
 MACDONOUGH, M. E.: for pipe broken, 120
 MAGEE, WILLIAM J.: for damage to automobile, 96
 MAGRATH, EDITH C.: for money taken, 69
 MAGUIRE, JAMES T.: for damage to automobile, 317
 MAHONY TRUCKING COMPANY: for refund, 238
 MAINLAND, JOHN Y.: for refund, 238
 MALONEY, MARY A.: for personal injuries, 315
 MANONI, LEO: for personal injuries, 90
 MANNING, H. L., Admr.: for refund of fee, 128
 MANNING, MRS. THOMAS: for injury to son, 194
 MARSHALL DRUG STORE, INC.: for damage to property, 194, 278
 MASCIULLI, NICOLA: for damage to property, 76
 MASON, JEAN B.: for damage to property, 304
 MAZER, MARY: for personal injuries, 278
 McARDLE, MARY A., AND KATHERINE F.: for damages to property, 6
 McARTHUR, ARTHUR: for hedge burned, 257
 McATEER, ELIZABETH: for personal injuries, 101
 McCAFFREY, C. P.: for refund of tax, 160
 McCARTHY, CECILIA M.: for personal injuries, 265
 McCARTHY, DENNIS: for damage to car, 76
 McCARTHY, JAMES: for damage to property, 101
 McCaULEY, PETER E.: for damage to automobile, 171
 McClusKEY, CATHERINE E.: for damages to property, 167
 McDERMOTT, ANNIE: for personal injuries, 171
 McDONALD, FRED: for personal injuries, 194, 230
 McDONALD, MARY G.: for personal injuries, 217
 McDONALD, WILLIAM J.: for refund of fee, 145
 McDONOUGH, COLEMAN: for damage to property, 34
 McDONOUGH, MARY E.: for damage to property, 317
 McETTRICK, MRS. ELLEN: for personal injuries, 210
 McGOVERN, LAWRENCE: for personal injuries, 257
 McGOWAN, A. J.: for expense of repairing drain, 140
 McGRAIL, THOMAS: for personal injuries, 257, 271
 McGrATHY, HUCH C., & Co.: for damage to property, 43
 McGrath, M. L.: for damage to property, 145
 McGuire, Mrs. MARY E.: for damage to property, 308
 McHATTON, JOHN J., AND GEORGE: for damage to automobile, 257
 McINNIS, HERMAN F.: for personal injuries, 278
 McKENNA, JOHN J.: for expense incurred, 202
 McKinney, Mrs. ANNA G.: for personal injuries, 220
 McKINNON, A. G.: for damage to automobile, 171
 McLAUGHLIN, PHILIP: for damage to car, 128
 McLEARN, J. SCOTT: for damage to automobile, 257
 McMAHON, WILLIAM J.: for damage to car, 271
 McMANUS, HELENA: for personal injuries, 145
 McMENIMEN, JOHN L.: for damage to coat, 13
 McNULTY, WILLIAM A.: for overcoat damaged, 69
 McTERNAN, ANNA F.: for expense incurred, 69
 McVEY, JOHN F., JR.: for damage to car, 194

Claims, *continued*.

M. E. HALL COMPANY: for damage to property, 13
 MELLEN'S FOOD COMPANY: for injury to horse, 257
 MENES, MARY C.: for damage to property, 194
 MERCHANT, DR. E. C.: for refund, 265
 MERRIMAC-ROME COMPANY: for damage to property, 288
 METCALF, GRACE E.: for personal injuries, 57
 MILEY, DANIEL P.: for overcoat taken, 96
 MILLAGE, MARY: for personal injuries, 217
 MILLER, FRED: for personal injuries, 90
 MILLER, LOUIS F.: for damage to automobile, 160
 MILLER, PEARL: for personal injuries, 13
 MILLS TRANSFER COMPANY: for damage to truck, 160
 MINER, D. H.: for damage to property, 194
 MINISTRO, ROSE: for personal injuries, 265
 MINTON, RICHARD (BY MICHAEL MINTON): for hearing on his claim, 140
 MOLASKEY, JAMES H.: for damage to goods, 34
 MONROE, ELBERT LE ROY: for ash can destroyed, 112
 MOORE, JOHN J.: for hearing on claim, 101
 MORAN, LEO S.: for damage to coat, 246
 MORGAN, MAE J.: for personal injuries, 6
 MORIN, GRACIE T.: for window and sigd broken, 140
 MORRISSEY, M. J.: for damage to automobile, 246
 MORRISSEY, MRS. T. J.: for damage to clothing, 304
 MORTON, HELEN F.: for damage to clothing, 128
 MOSHER GARAGE: for damage to car, 283
 MOURADIAN, MOURAD: for damages to property, 140
 MOYNIHAN, JAMES J.: for damage to property, 63
 MUCKLE, DAVID W.: for refund, 63
 MUDDWAR, ABRAHAM: for personal injuries, 304
 MULLEN, BERNARD F.: for damage to automobile, 145
 MULLIGAN, MARGARET E.: for hearing on claim, 271
 MULVEY, ELSIE L.: for plate glass window broken, 220
 MURPHY BARTHOLOMEW F.: for personal injuries, 160
 MURPHY, EDWARD P.: for personal injuries, 50
 MURPHY, F. H.: for damage to truck, 297
 MURPHY, FRANK AND BESSIE: for damage to property, 194
 MURRAY, ANNA E.: for damage to property, 238, 257
 MURRAY, JAMES: for personal injuries, 265
 MURTAGH, JAMES T.: for loss of valuables, 194
 MYERS, SAMUEL: for damage to automobile, 246
 MYERS, WILLIAM F.: for personal injuries, 238
 NEALON, JOSEPH B.: for clothing damaged, 315
 NELSON, EMIL K.: for personal injuries, 194
 NELSON, MILDRED L.: for personal injuries, 101
 NEVILLE, DENNIS: for damage to property, 182
 NEWTON, CLARENCE L., trustee: for damage to fence, 120
 NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY: for damage to fence, 13
 NICHOLSON, E. F.: for refund, 160
 NOAH, HARRY: for damages, 167
 NOLTE, JULIUS E.: for damage to automobile, 238
 NOONA, HELEN L.: for damages to property, 128
 NOONAN, JANE: for personal injuries, 160
 NORRIS, ERNEST N.: for damage to automobile, 160
 NORRIS, JENNIE E.: for personal injuries, 160
 O'BRIEN, ISABELLE C.: for personal injuries, 50
 O'BRIEN, JOHN F.: for personal injuries, 202
 O'BRIEN, JOSEPH: for personal injuries, 210
 O'BRIEN, MRS. K.: for clothing taken, 194
 O'KEEFE, CHARLES J.: for damage to property, 304
 OLDFIELD, ROSE E.: for personal injuries, 57
 OLIN, SAUL: for personal injuries, 167
 OLSEN, CHARLES C.: for damage to automobile, 128
 OLSEN, LUCY A.: for damage to automobile, 246
 O'NEIL, CHARLES: for personal injuries, 24
 O'NEIL, JOSEPH: for personal injuries, 257
 ORCHARD, WILLIAM: for expense incurred, 96
 OSBOURNE, HENRY J.: for damage to truck, 128
 PAINE, ALICE: for personal injuries, 271
 PALMER, RICHARD STUART: for damage to clothing and for personal injuries, 246
 PALMISANO, SALVATORE: for personal injuries, 194

Claims, *continued.*

PANDANO, JENNIE: for personal injuries, 160
 PAPPAS, JOHN: for refund, 101
 PARISSI, ANTONIO: for damage to goods, 304
 PARKE, E. V. B.: for personal injuries, 171
 PASTERNA, MRS. ISRAEL: for personal injuries, 288
 PAUL, JOSEPH: for damage to car, 210
 PEARLMAN, JENNIE: for expense incurred, 315
 PEASE, FRANK M.: for damage to car, 257
 PEIRCE, C. J.: for damage to property and for personal injuries, 257
 PERIN, LIZZIE: for hearing on her claim, 257
 PELHAM TRUST, TRUSTEES OF THE: for expense incurred, 128
 PENTA, BENIGNA: for personal injuries, 315
 PESATURA, ANGIE: for personal injuries, 57
 PETERS, ROSE M.: for damage to clothing, 128
 PETRUSEWICZ, ROMAN: for refund, 210
 PICARDI, RALPH: for damage to property, 69
 PILLSBURY, ARTHUR R., M. D.: for damage to ear, 271
 PINK, WILLIAM: for damage to automobile, 160
 PINSTEIN, BESSIE: for personal injuries, 160
 PISANO, AUGUSTINE: for personal injuries, 63
 PISANO, SARAH: for personal injuries, 160
 PITTS, BENJAMIN: for personal injuries, 317
 POPCHER, SARAH: for damage to property, 140
 PORT, MARION J.: for personal injuries, 194
 PRICE BROTHERS: for damage to wagon, 140
 PRIME TEA COMPANY: for damage to property, 69
 PROFIA, GIOVANNI: for damage to automobile, 317
 PROMBERGER, NATHAN: for damage to truck, 278
 PUS-HEE, J. C., & SONS: for damage to property, 271, 304
 PUSHNIS, MRS.: for personal injuries, 160
 PUZO, ANGELO: for damage to property, 183
 QUINN, MARION: for hearing on claim, 230
 RADZICAWICZ, LEO: for damage to property, 317
 RAE, MARGARET: for personal injuries, 76
 RANDALL, HAROLD, JR.: for personal injuries, 128
 RATNER, HARRY: for refund of water bills, 308
 RAVANESI, ARGO: for damage to car, 128
 REAGAN, MRS. J. J.: for damage to daughter's clothing, 160
 REGAN, JOHN J.: for personal injuries and for damage to car, 220
 REIDY, ROSE M.: for personal injuries, 50
 RICCI, FRANCESCO P.: for refund, 246
 RICHARDSON, ALBERT W.: for expense incurred, 90
 RICHARDSON, MRS. JOHN: for damage to car, 238
 RICHARDSON, LOUISA CABOT: for damage to automobile, 202
 RICHENBURG, F. H.: for amount paid, 24
 RICHMOND, ARTHUR L.: for damage to ear, 13
 RICHMOND, MAX: for damage to automobile and for personal injuries, 246
 RIGANO, NICOLETTO: for damages caused by overflow of sewer, 128
 RILEY, MRS. GERTRUDE A.: for personal injuries, 101
 RING, THOMAS E.: for overcoat stolen, 76
 RITTENBERG, LENA D.: for damage to property, 217
 ROBART, RALPH: for personal injuries, 317
 RODDEN, GRACE LUCY: for personal injuries, 63
 ROONEY, JAMES S.: for clothing torn, 34, 44
 ROONEY, JAMES V.: for damage to car, 96
 ROSE, JOHN C.: for personal injuries, 160
 ROSENBAUM, RIVA: for refund, 304
 ROSENBERG, HYMAN: for personal injuries, 265, 271
 ROSENBERG, MOLLY: for personal injuries, 278
 ROSENFELT, SARAH: for damage to property, 194
 ROSENGARD, IDA: for damage to property, 63
 ROSENTHAL, ROSE: for personal injuries, 140
 ROTHSTEIN, LOUIS: for amount due him, 297
 ROUINNESS, SAMUEL W.: for loss of coat, 183
 ROWELL, GRACE: for personal injuries, 76
 RUBENSTEIN, JOSEPH: for damage to automobile, 6
 RUGO, JOSEPH: for loss caused by delay on contract, 288
 RUSSO, JOSEPH P.: for damage to property, 194
 RYAN, GEORGE H.: for damage to truck, 160
 RYAN, WILLIAM A.: for damage to clothing, 63
 SANDLER, ABRAHAM: for damage to automobile, 318

Claims, *continued.*

SAPERIA, ISAAC: for damage to wagon, 217
 SAPERSTEIN, HARRY: for damage to truck, 50
 SAPOSNICK, JOSEPH: for personal injuries, 50
 SAVARY, MARIE J.: for personal injuries, 112
 SAVOY IMPROVING AND EXPORTING COMPANY: for damage to property, 288
 SCHAFFMAN, LOUIS: for personal injuries, 194
 SCHMIDT, MINNIE: for personal injuries, 257
 SCHNIDERMAN, MAX: for personal injuries, 112
 SCHULTZ, GUSTAN A.: for damage to automobile, 101
 SCIPIONE, NICHOLAS: for crops destroyed, 69
 SEARS, A. J.: for damage to automobile, 101
 SECATORE, ADELE: for hearing on claim, 230
 SEEKAY, SERVICE STORES, INC.: for refund, 101
 SELIG, MRS. EUGENIE: for personal injuries, 34
 SEYMOUR, CHARLES: for damage to property, 394
 SHAFRAN REALTY COMPANY: for expense incurred, 57
 SHAPARO, VICTOR: for damage to automobile, 145
 SHARKEY, MAY A.: for personal injuries, 246
 SHAW & FLYNN: for damage to automobile, 44
 SHAWMUT PAPER BOX COMPANY (BY LYLE A. BROWN): for damage to car, 297
 SHEA, JOHN T., JR.: for damage to automobile, 210
 SHEDRICK, IVAN B.: for damage to truck, etc., 304
 SHEEHAN, WILLIAM J.: for damage to fence, 101
 SHEEN, CHARLES W.: for cover broken, 315
 SHEIL, MARY A.: for damage to concrete walk, 160
 SHERBURNE, JOHN H.: for damages to property, 145
 SHERMAN, W. E.: for personal injuries, 69
 SHINE, JEREMIAH: for expense of repairing drain, 288
 SHUBERT BOSTON THEATERS: for damage to property, 44
 SHUFRO, MARTIN J.: for damage to automobile, 128, 160
 SHULTZ ROSELAND: for hearing on claim, 315
 SIELENO, MARIA: for damage to goods, 128
 SILK, JOHN P.: for return of money, 101
 SILVERSTEIN, MOLLIE: for hearing on claim, 265
 SIMINY, JOHN J.: for reimbursement of expense, 265
 SINNOTT, WINIFRED L.: for damage to property, 101
 SISK, CORNELIUS J.: for personal injuries, 34
 SKINNER, GEORGE W.: for refund of fee paid, 96
 SLABINSKY, ANNIE: for personal injuries, 63
 SLATTERY, ANGELINA M.: for personal injuries, 288
 SLESSINGER, H., & SON: for plate glass window, 24
 SLOTNICK, HARRY: for personal injuries, 145
 SMART, JAMES A.: for damage to ear, 202
 SMITH, MATHEW J.: for gate broken, 210
 SNOW, THOMAS C.: for compensation for expense, 194
 SNYDER, PAULINE: for hearing on claim, 220
 SORRENTI, JOHN AND NANCY: for personal injuries, 160
 SOULE, L. P., & SON COMPANY: for refund, 202
 SOTRENSKI, ROSE: for personal injuries, 318
 SPAULDING, ETTA J.: for damage to property, 194
 SPINOZA, ISAAC B.: for personal injuries, 238
 SQUEGLIA, MRS. CONCETTA: for personal injuries, 76
 STANDARD SAW AND TOOL MANUFACTURING COMPANY, INC.: for refund of tax, 145
 STANDISH, LEMUEL W.: for personal injuries, 160
 STEINBERG, FRANCIS: for personal property, 217
 STEINBERG, HARRY: for damage to drain, 160
 STELLA, JOSEPHINE: for personal injuries, 238
 STERNBERG, FRANCES: for personal injuries, 238
 STEWART AUTOMOBILE ASSOCIATION: for damage to shrubs, 317
 STILPHEN, MARY V.: for personal injuries, 288
 STOCKMAN & ROCKWOOD: for damage to property, 317
 STONE'S EXPRESS, INC.: for damage to truck, 96
 STRAIN, ALICE G.: for personal injuries, 265
 SUGARMAN, JACK: for personal injuries, 128
 SUGARMAN, LOUIS: for damage to machine, 128
 SUGRUE, DENIS J.: for shoes lost, 202
 SULLIVAN, CHARLES K.: for damage to automobile, 50
 SULLIVAN, MARGARET M.: for damage to gate and fence, 120
 SULLIVAN, MARY B.: for damages to property, 69

C Claims, *continued.*

SULLIVAN, MARY T.: for damage to property, 120
 SWANOREN, HOWARD J.: for damage to car, 210
 SWEENEY, LOUISE M.: for personal injuries, 120
 TACK, ADA H.: for personal injuries, 288
 TAVENNER, W. J.: for materials furnished, 57
 TAYLOR, REV. ALAN McL.: for damage to car, 202
 TAYLOR, RUTH D.: for personal injuries, 257
 TAYS, FRANK: for collapse of boiler, 288
 TERRANT, MARY A.: for personal injuries, 34
 TETLAULT, EDWARD C.: for damage to automobile, 317
 THIBAUT, LENA: for personal injuries, 202
 THOMPSON, DANIEL AND MARY A.: for damage to clothing, 194
 TIBBETTS, RALPH E.: for damage to car, 257
 TICKNOR BROS., INC.: for claim, 288
 TIERNEY, FRANCIS J.: for damage to car, 194
 TOBIN, L. D.: for removal of fence and other damages, 128
 TOST, SOTIE: for damage to wagon, 257
 TOWLE, LOREN D.: for damage to property, 96
 TOWNSLEY, GRACE: for personal injuries, 257
 TOY, SARAH M.: for rebate, 160
 TRAINOR, MARGARET T.: for damage to property, 76
 TREANTAFIL, GEORGE N.: for refund of tax, 140
 TREFHON, JAMES K.: for damage to auto, 238
 TUCCI, ANTHONY: for personal injuries, 257
 TUEB, JOSEPH S.: for damage to automobile, 128
 TWOHEY, M. J.: for return of money, 63
 TYLER, WESTLY: for personal injuries and for damage to property, 257
 TYNER, FRANCIS V.: for collapse of boiler, 202
 VAN EMDEN, J. J.: for damage to property, 183
 VARRS, NELLIE: for personal injuries, 220
 VENTULA, DOMINICK: for refund of fee, 128
 WADE, ARTHUR L.: for personal injuries, 194
 WADE, EDDY: for damage to automobile, 44
 WALDMAN, CHRISTOPHER: for damage to property, 145
 WALBRON, FRANCES A.: for damage to car, 6
 WALKER, W. & A., INC.: for refund, 90
 WALLACE, NELLIE: for personal injuries, 6
 WALSH, FRANK C.: for damage to clothing, 101
 WALSH, JOHN: for personal injuries, 265
 WALSH, JOHN F.: for damage to car, 271
 WALSH, JOHN J.: for personal injuries, 304
 WALSH, JOHN W.: for personal injuries, 96
 WALTON, MICHAEL J.: for personal injuries and clothing damaged, 57
 WASGATT, ELIZABETH H.: for personal injuries, 50
 WATERHOUSE, L. A.: for water damages, 257
 WATERMAN, ARCHIBALD: for damage to automobile, 112
 WAXLER, LOUIS: for refund of \$100, paid for license, 194
 WEEBER, CHARLES H.: for damage to goods, 34
 WEIDMAN, LAWRENCE J.: for personal injuries, 257
 WEINBERG, MAX: for death of son, 194
 WIENER, BARNETT: for personal injuries, 271
 WEINSTOCK, MRS. B.: for damage to property, 238
 WENTWORTH, BEULAH ANDERSON: for personal injuries, 246
 WHALEN, ANNIE G.: for personal injuries, 220
 WHITE, JAMES H.: for damage to property, 120
 WHITMORE, JOHN A., SONS: for damage to truck, 145
 WILCOX, FRANK: for personal injuries, 128
 WILCOREN, ETTA: for personal injuries, 308
 WILLIAMS, ANNA M.: for personal injuries, 246
 WILLIAMS, JOHN D.: for fence broken, 34
 WILLIAMS, MARGARET A.: for damages to property, 304
 WINKLER, PHILIP N.: for rebate, 202
 WINNICK, ABRAHAM: for damage caused by a projecting wire, 194
 WINSOR, MRS. T. L.: for furnace pipes broken, 257
 WOJCIK, PAUL: for refund, 265
 WOLFSON, ABRAHAM: for damages to property, 220
 WOLODOFSKY, ABRAHAM: for injury to horse, 257
 WOLVERINE REALTY COMPANY: for damage to property, 304
 WOOD, HOWELL T.: for personal injuries, 50
 WORTH, EDITH: for personal injuries, 120
 WYNTER, WALTER S.: for extra work done, 295
 YANUSAS, JOSEPH: for damage to automobile, 194

Claims, *continued.*

YOFFE, RITA: for personal injuries, 194
 YOULLEN, SMITH & HOPKINS: for horse injured, 6
 YOUNG, H. G. W.: for damage to car, 44
 ZEMER, F. W.: for damage to car, 298

Clancy, William S.

petition to be retired, 128—report with order for retirement, report accepted, order passed, 133

Clark, James F.

resolution favoring legislation for reinstatement in the police department, passed, 318

Clerk of Committees Department.

clerk of committees: order establishing salary, referred to the executive committee, 323—report accepted, order passed, 325

assistant clerk of committees: order establishing salary, referred to the executive committee, 323—report accepted, order passed, 325

Closing of Navy Yard. (*See* Navy Yard, Closing of.)

Closing of Passageway, Chamber of Commerce Building.

message with order for release and quitclaim, given first reading and passed, 3—given final reading and passed, 14, 15

Clougherty, John C.

notice of appointment as inspector in the health department, placed on file, 145

Coal, Anthracite, Price of.

preamble and resolve requesting the fuel commissioner to investigate cause, 104—referred to the executive committee, 106—report with amended order, passed, 107

Coal, Prices of.

communication from the commissioner on necessities of life, placed on file, 112

Coal Situation, Discussion of.

p. 113

Coal Supply for Boston.

message with order for appropriation of \$10,000, to be charged to the reserve fund, 201, 202—referred to the executive committee, 202—report accepted, order passed, 207

Coal, Weighers of.

BERMAN, MOLLIE: appointed, 286—confirmed, 301
 BIBBER, SAMUEL: appointed, 307—confirmed, 316
 BIGELOW, EDWARD: appointed, 110—confirmed, 123
 BOWMAN, JOHN F.: appointed, 286—confirmed, 301
 CAMPBELL, FRANCIS M.: appointed, 56—confirmed, 66
 CAMPBELL, GILBERT A.: appointed, 209—confirmed, 218
 CLARK, JOHN J.: appointed, 143—confirmed, 164
 COAKLEY, JOHN P.: appointed, 143—confirmed, 164
 COHEN, BENJAMIN H.: appointed, 110—confirmed, 123
 CORBETT, GERALD W.: appointed, 67—confirmed, 84
 CRUTCHFIELD, E. H.: appointed, 257—confirmed, 265
 CUTHBERTSON, WILLIAM C.: appointed, 119—confirmed, 135
 DINSFRIEND, MATTHEW: appointed, 6—confirmed, 14
 DOHERTY, JOHN E.: appointed, 143—confirmed, 164
 DONEGAN, J. EDWARD: appointed, 143—confirmed, 164
 DONOVAN, FLORENCE: appointed, 143—confirmed, 164
 DUNN, GRANT: appointed, 143—confirmed, 164

Coal, Weighers of, *continued.*

GALLAGHER, JOHN K.: appointed, 312—confirmed, 322
 GERRISH, WILLIAM E.: appointed, 143—confirmed, 164
 GOOD, ERNEST C.: appointed, 143—confirmed, 164
 GOULD, IRVING A.: appointed, 143—confirmed, 164
 GRIFFIN, GEORGE F.: appointed, 143—confirmed, 164
 GROMAN, JACOB: appointed, 6—confirmed, 14
 HARLOW, ROBERT B.: appointed, 154—confirmed, 160
 HILL, ARTHUR W.: appointed, 286—confirmed, 301
 JAMESON, SILAS N.: appointed, 216—confirmed, 228
 JOHNSON, RALPH: appointed, 143—confirmed, 164
 KEARNS, MARTIN J.: appointed, 143—confirmed, 164
 KINSMAN, LESLIE S.: appointed, 138—confirmed, 147
 LAUTEN, DANIEL F.: appointed, 286—confirmed, 301
 LEONARD, WILLIAM J.: appointed, 143—confirmed, 164
 LEVENSON, MISS JENNIE: appointed, 6—confirmed, 14
 MAGUIRE, MARTIN J.: appointed, 49, 56, 216—confirmed, 60, 66, 228
 MARTIN, WILLIAM H.: appointed, 257—confirmed, 265
 McCANN, MICHAEL J.: appointed, 143—confirmed, 164
 MCCARTHY, JUSTIN: appointed, 143—confirmed, 164
 McDUGALD, JOHN C.: appointed, 154—confirmed, 169
 MILDNER, JOSEPH: appointed, 286—confirmed, 301
 MILLER, WILLIAM G.: appointed, 143—confirmed, 164
 MILLINGTON, ANDREW: appointed, 154—confirmed, 169
 MURPHY, JAMES: appointed, 143—confirmed, 164
 NEWMAN, F. G.: appointed, 125—confirmed, 141
 RABINOVITZ, CHARLES: appointed, 99—confirmed, 116
 RIPLEY, WALTER C.: appointed, 143—confirmed, 164
 RODGERS, SAMUEL P.: appointed, 197—confirmed, 215
 RUBIN, SOLOMON J.: appointed, 307—confirmed, 316
 SECOR, GEORGE D.: appointed, 143—confirmed, 164
 SEGEE, FREDERICK R.: appointed, 143—confirmed, 164
 SHEDD, RICHARD I.: appointed, 216—confirmed, 228
 SINGER, BARNED: appointed, 6—confirmed, 14
 STONE, LORENZO F. C.: appointed, 182—confirmed, 196
 WOOD, FREDERICK P.: appointed, 143—confirmed, 164
 WRIGHT, ALLAN: appointed, 143—confirmed, 164
 ZWICK, LOUIS A.: appointed, 304—confirmed, 309
 ZWICK, MRS. LOUIS A.: appointed, 304—confirmed, 309

Coal and Coke, Weighers of.

MARTIN, LESLIE: appointed, 262—confirmed, 276
 SANTIS, J. C.: appointed, 257—confirmed, 265
 SHEA, DANIEL: appointed, 262—confirmed, 276

Collateral Loan Company.

Peter A. Donovan, appointed director, 138

Collecting Department.

city collector: Edmund L. Dolan, appointed, placed on file, 7—approved by civil service commission, 44; William M. McMorrow, appointed, 63—confirmed by civil service commission, 76; E. V. B. Parke, resigned, 70

temporary city collector: John J. Curley appointed, 70

Columbus Park. (See Park Department.)**Commercial, Industrial and Publicity Bureau.**

message with order for appropriation of \$20,000—to be charged to the reserve fund, referred to the executive committee, 12—report accepted, order passed, 14

Commission on the Necessaries of Life. (See Necessaries of Life, Commission on.)**Common. (See Park Department.)****Comprehensive City Plan.**

message transmitting communication and order for appropriation of \$10,000 to be charged to the reserve fund, to be expended under the direction of the city planning board, 19, 20, 21—referred to the executive committee, 21—report accepted, order passed, 33

Connolly, Rev. Arthur T.

notice of appointment as library trustee, placed on file, 64—approved by the civil service commission, 91

Connors (John J.) Square. (See Squares, Naming and Renaming.)**Connors, Peter F. (See Pensions.)****Constables.**

bonds: approved, 4, 13, 34, 44, 57, 63, 70, 101, 102, 112, 121, 128, 140, 145, 153, 160, 167, 183, 195, 211, 220, 239, 258, 289, 305, 308, 315

list of:

ANDERSON, JOHN A.: appointed, 182—confirmed, 196
 BERESNACK, SAMUEL M.: appointed, 165—confirmed, 180, 183
 BERWIN, PHILIP: appointed, 6—confirmed, 14
 BURNS, JAMES J.: appointed, 16—confirmed, 38
 BURNS, WILLIAM H.: appointed, 56—confirmed, 66
 CAMPBELL, JOHN F.: appointed, 119—confirmed, 135
 CAPORALE, PETER A.: appointed, 62—confirmed, 74
 CAREY, ROBERT T.: appointed, 16—confirmed, 38
 CARGILL, WILLIAM J.: appointed, 49—confirmed, 60
 CARROLL, LEO: appointed, 95—confirmed, 107
 CAVANAGH, MARTIN F.: appointed, 86—confirmed, 97
 COFFEY, THOMAS F., JR.: appointed, 154—confirmed, 169
 COHEN, WILLIAM A.: appointed, 170—confirmed, 183
 COLLIER, HYMAN: appointed, 297—confirmed, 306
 COLLUPY, WILLIAM A.: appointed, 49—confirmed, 60
 DELANEY, JAMES J.: appointed, 86—confirmed, 97
 DELANEY, JOSEPH A.: appointed, 49—confirmed, 60
 DELESKEY, GEORGE F.: appointed, 99—confirmed, 116
 DEVINE, RICHARD J.: appointed, 40—confirmed, 55
 DiStASSIO, MARCIAN: appointed, 154—confirmed, 169
 DOONAN, WILLIAM: appointed, 40—confirmed, 55
 DOWD, ANDREW J.: appointed, 40—confirmed, 55
 DREW, MICHAEL S.: appointed, 40—confirmed, 55
 DUFFY, OWEN WILLIAM: appointed, 67—confirmed, 84
 DUFFY, WILLIAM P.: appointed, 125—confirmed, 141
 EASTMAN, MELVILLE R.: appointed, 6—confirmed, 14
 FALLON, JAMES V.: appointed, 268—confirmed, 280
 FERREIRA, JOSEPH E.: appointed, 86—confirmed, 97
 FINNEGAN, JOHN W.: appointed, 99—confirmed, 116
 FRANCHINI, ERCOLE: appointed, 34—confirmed, 48
 FREED, PAUL A.: appointed, 229—confirmed, 242
 FRISCHBERG, JACOB A.: appointed, 154—confirmed, 169
 GEARY, ALFRED F.: appointed, 197—confirmed, 215
 GILLESPIE, JOHN F.: appointed, 16—confirmed, 38
 GOLDSTEIN EDWARD N.: appointed, 216—confirmed, 228
 GOODE, JOSEPH F.: appointed, 34—confirmed, 48
 GOREY, THOMAS P.: appointed, 62—confirmed, 74
 GRADY, PATRICK AUSTIN: appointed, 16—confirmed, 38
 GREENBERG, DAVID A.: appointed, 62—confirmed, 74
 GREENSIDE, ABRAHAM: appointed, 95—confirmed, 107
 HALE, ST. CLAIRE E.: appointed, 62—confirmed, 74
 HART, JOHN E.: appointed, 49—confirmed, 60
 HOROWITZ, ASCHER E.: appointed, 16—confirmed, 38
 KELLY, JOSEPH F.: appointed, 49—confirmed, 60
 KILLIAN, THOMAS J.: appointed, 56—confirmed, 66
 KONTRIM, BRONIS: appointed, 154—confirmed, 169
 KRINSKY, ABRAHAM: appointed, 304—confirmed, 309
 LANE, ARTHUR FRANCIS: appointed, 6—confirmed, 14
 LAUREANA, ANTONIO: appointed, 119—confirmed, 135
 LYDON, PETER J.: appointed, 125—confirmed, 141
 MAGEE, BERNARD HENRY: appointed, 56—confirmed, 66

Constables, *continued*.

MATHONY, JOHN J.: appointed, 125—confirmed, 141
 MCGOWAN, JOHN M.: appointed, 119—confirmed, 135
 MCGUNIGLE, WILLIAM A.: appointed, 49—confirmed, 60
 MCKENNA, JAMES A.: appointed, 99—confirmed, 116
 MEALEY, WILLIAM H.: appointed, 16—confirmed, 38
 MILLER, WILLIAM J.: appointed, 268—confirmed 280
 MITCHELL, ALFRED R.: appointed, 182
 MITCHELL, ALFRED RAY: appointed, 95—confirmed, 107
 MOHAN, JAMES F.: appointed, 216—confirmed, 228
 MONAHAN, PATRICK J.: appointed, 12—confirmed, 33
 MULLAY, GEORGE BRUNSWICK: appointed, 6—confirmed, 14
 MULLEN, MARTIN F.: appointed, 6—confirmed, 14
 MURPHY, MICHAEL P.: appointed, 16—confirmed, 38
 MURRAY, JOHN J.: appointed, 86—confirmed, 97
 MUSTO, VINCENZO: appointed, 125—confirmed, 141
 NEVILLE, JAMES F.: appointed, 12—confirmed, 33
 NISCO, LOUIS T.: appointed, 143—confirmed, 164
 O'BRIEN, THOMAS JOSEPH: appointed, 16—confirmed, 38
 O'CONNELL, WILLIAM JOSEPH: appointed, 16—confirmed, 38
 O'CONNOR, DANIEL PATRICK: appointed, 56—confirmed, 66
 O'DONNELL, MICHAEL B.: appointed, 3—confirmed, 11
 PALLADINO, CORRADO: appointed, 170—confirmed, 183
 PALUMBO, ALPHONSE: appointed, 62—confirmed, 74
 PERRIELLO, CHARLES L.: appointed, 154—confirmed, 169
 PETITTI, JOHN F.: appointed, 119—confirmed, 135
 POWDERLY, WILLIAM H.: appointed, 67—confirmed, 84
 PRIOR, JOHN: appointed, 268—confirmed, 280
 ROME, ABRAHAM C.: appointed, 56—confirmed, 66
 ROTH, ANTON H.: appointed, 12—confirmed, 33—resigned, 112
 SANTOSUOSSO, HENRY: appointed, 49—confirmed, 60
 SAPUPPO, MICHAEL: appointed, 304—confirmed, 322
 SAWYER, HERBERT D.: appointed, 119—confirmed, 135
 SEXTON, ROBERT E.: appointed, 34—confirmed, 48
 SHAIN, SAMUEL: appointed, 119—confirmed, 135
 SHAPIRO, HYMAN: appointed, 86—confirmed, 97
 SHEPARD, JOHN P.: appointed, 95—confirmed, 107
 SILSBY, JOSEPH PARK: appointed, 6—confirmed, 14
 SOTTILE, SALVADOR C.: appointed, 16—confirmed, 38
 STILLMAN, THOMAS J.: appointed, 125—confirmed, 141
 SULLIVAN, JAMES JOSEPH: appointed, 16—confirmed, 38
 SUPPLE, DAVID FRANCIS: appointed, 6—confirmed, 14
 TANNER, LOUIS A.: appointed, 86—confirmed, 97
 TOBIN, FRANCIS J.: appointed, 119—confirmed, 135
 TORR, JOSEPH M.: appointed, 286—confirmed, 301
 WALKER, THEODORE A.: appointed, 62—confirmed, 74
 WHETHERHALT, ALLEN: appointed, 216—confirmed, 228
 WHITNEY, CHARLES J.: appointed, 56—confirmed, 66
 WINTERS, CHARLES M.: appointed, 40—confirmed, 55

Document No. 50: reappointments, 75—those connected with official positions, to serve without bonds, confirmed, 93—those authorized to serve civil process upon filing bonds assigned to next meeting, 94—confirmed, with the exception of eighteen, 97, 98—confirmed, with the exception of five, 109—confirmed, 118

Constitution of the Commonwealth of Massachusetts.

notice of sixty-seventh amendment, placed on file, 298

Contracts.

interest in: notice of, placed on file

CUMMINGS, MATTHEW: 259
 DYSART, ROBERT: 239
 FEENEY, JOSEPH F.: 145, 202, 259, 278, 298
 GUILD, COURTENAY: 220
 HICKEY, JOHN F.: 167
 LEWIS, MYRON P.: 91
 MAGINNIS & WALSH: 91
 MANNING, JOSEPH P.: 24, 44, 102, 145, 161, 239, 271
 POND, J. WALDO: 174, 210, 220
 ROURKE, LOUIS K.: 161
 WATSON, JAMES A.: 161

Contracts Made by the City.

message with draft of ordinance, referred to the committee on ordinances
 50—report accepted, ordinance rejected, 60

Convenience Station, East Boston. (*See* Park Department.)Conveyance of City Land. (*See* Closing of Passageway, Chamber of Commerce Building.)Corbett (William J.) Square. (*See* Squares, Naming and Renaming.)Corporation Counsel. (*See* Law Department.)

Cottage Road, West Roxbury.

order to place water main, passed, 113; message transmitting communication, 143, 144, placed on file, 144

County Employment Office.

order as to the advisability of establishing, 26—referred to the executive committee, 27—report, no further action necessary, 47

County of Suffolk, County Accounts.

East Boston District Court: order to remedy dangerous conditions, passed, 253; communication determining salaries of probation officers, 298—reports accepted, orders passed, 322

additional appropriation: message transmitting order for, 156, 157—referred to the executive committee, 157—report accepted, order passed, 168

municipal court, Boston: communication determining salary of chief probation officer, 6; notice of retirement of Arthur A. Wordell, probation officer, referred to the committee on county accounts, 13; report with order for retirement of Arthur A. Wordell, probation officer, report accepted, order passed, 218; communication determining salary of probation officer, referred to the executive committee, 231—report, with order, report accepted, order passed, 233; order to accept act providing for an eighth assistant clerk, passed, 91; order determining salary of chief probation officer, approved, 231, 232—report accepted, order passed, 233

municipal court, Brighton: request for retirement of court officer, referred to the committee on county accounts, 161—report with order for retirement, report accepted, order passed, 274

municipal court, Dorchester: communication determining salary of probation officer, referred to the committee on county accounts, 113—report with order, report accepted, order passed, 125

municipal court, Roxbury: notice of acceptance of act authorizing an additional court officer, placed on file, 160

municipal court, West Roxbury: notice concerning salaries of probation officers, referred to the committee on County accounts, 258—report with order fixing salaries, report accepted, order passed, 274

registry of deeds: pay roll for February, 1921, approved and ordered paid, 13; pay roll for March, approved and ordered paid, 57; pay roll for April, approved and ordered paid, 91; pay roll for May, approved and ordered paid, 122; pay roll for June, approved and ordered paid, 146; pay roll for July, approved and ordered paid, 163; pay roll for August, approved, 195; pay roll for September, placed on file, 211; pay roll for October, approved and ordered paid, 238; pay roll for month of November, approved and ordered paid, 271; pay roll for month of December, approved, 293; W. T. A. Fitzcerald sworn in as register of deeds, and bonds approved 303; John J. Attridge sworn in as assistant register of deeds and bond approved, 303; pay roll for month of January, approved and ordered paid, 315; pay roll for January 22 to 31, 1922, approved and ordered paid, 323

registry of deeds: transfers. *See* reserve fund.

registry of deeds and registry of probate: order for closing at 4 o'clock p. m., passed, 133—report accepted, order passed, 134

social law library: order to pay \$1,000—for maintenance and enlargement, passed, 318

superior court: *see* reserve fund

superior court, criminal business: order for investigation of office, passed, 169; communications regarding investigation, 173, 174—placed on file, 174

Courthouse, Dorchester. (*See Public Buildings Department.*)

Courts. (*See County of Suffolk, County Accounts.*)

Coyne, Mrs. Michael J.

resolution favoring annuity of \$300—passed, 80; resolution favoring legislation for payment of annuity, passed, 315

Creney, William A.

notice of appointment as assistant assessor, placed on file, 35

Cronin, George J.

notice of resignation as superintendent of supplies, placed on file, 44

Crosby, Frederic J.

notice of appointment as sinking funds commissioner, placed on file, 64, 195—notice of approval by civil service commission, placed on file, 202

Crotty, Joseph J.

notice of appointment as member of board of appeal, placed on file, 64

Crowding of Street Cars.

order to investigate, passed, 260

Crowley (Joseph C.) Square. (*See Squares, Naming and Renaming.*)

Cummings (Edward F.) Square. (*See Squares, Naming and Renaming.*)

Cummings, Joseph V.

resolution favoring legislation for reinstatement in public works department, passed, 309—vetoed, 313

Cummings, Matthew.

notice of appointment as sinking funds commissioner, placed on file, 64; notice of approval of civil service commission, placed on file, 96

Cunningham (Edwin M.) Park. (*See Parks, Naming and Renaming.*)

Curley, John J.

appointed city treasurer, placed on file, 7; notice of appointment as temporary city collector, placed on file, 70

Currier, Guy W.

appointed library trustee, placed on file, 128—approved, 145

Custer Street, Ward 22.

sidewalks: order for construction, passed, 81

D. Doherty Company.

resolution favoring legislation to reimburse for losses, passed, 10—vetoed, 18, 19; resolution favoring legislation to reimburse for losses, adopted, 301

Dailey, Edward B.

notice of removal as assessor, placed on file, 24

Dailey, John J.

notice of appointment as assistant assessor, placed on file, 35

Daley, William. (*See Pensions.*)

Dana Avenue, Ward 24.

sidewalks: order for construction, passed, 123

Dante Alighieri Branch Library. (*See Library Department.*)

Davis (John J.) Square. (*See Squares, Naming and Renaming.*)

De Bellis, Benedict.

notice of appointment as statistics trustee, placed on file, 64

Dedication of Ambulance Station.

invitation inviting the city council to attend, placed on file, 271

Deeds of Land.

petition of Bessie Miller and George W. Meserve for deeds lost, 210—order for release, read once and passed, 253—given final reading and passed, 260

Deery, Della Jean.

notice of appointment as clerk of library trustees, placed on file, 121

Deland, Frank S.

notice of resignation as city treasurer, placed on file, 44

Delay in Bridge Completion, Brighton.

order for information regarding, passed, 10; communication in reply to order, placed on file, 13

Dempsey, Joseph P.

notice of appointment as first assistant assessor, placed on file, 217

Department Transfers.

between the departments:

COURTHOUSE, FOREST HILLS SITE, TO COURTHOUSE, FOREST HILLS: order for, referred to the executive committee, 235—report accepted order passed, 242—given final reading and passed, 260

WATER INCOME TO COLLECTING DEPARTMENT: order for, referred to the executive committee, 201—report accepted, order passed, 207

from the reserve fund: see reserve fund

within the departments:

ASSESSING DEPARTMENT: order for, referred to the executive committee, 230—report accepted, order passed, 233; order for, 256—referred to the executive committee, 257—report accepted, order passed, 260

BOARD OF EXAMINERS: order for, referred to the executive committee, 237—report accepted, order passed, 242

BOSTON ALMHOUSE AND HOSPITAL: order for, 157—referred to the executive committee, 158—report accepted, order passed, 163; order for, 268—referred to the executive committee, 269—report accepted, order passed, 276

BOSTON SANATORIUM: order for, referred to the executive committee, 153—report accepted, order passed, 153; order for, 157—referred to the executive committee, 158—report accepted, order passed, 163; order for, referred to the executive committee, 193—report accepted, order passed, 196; order for, referred to the executive committee, 226—report accepted, order passed, 227; order for, referred to the executive committee, 230—report accepted, order passed, 233; order for, 256—referred to the executive committee, 257—report accepted, order passed, 260; order for, 262—referred to the executive committee, 263—report accepted, order passed, 266

BUDGET DEPARTMENT: order for, 157—referred to the executive committee, 158—report accepted, order passed, 163; order for, referred to the executive committee, 263—report accepted, order passed, 266

Department Transfers, *continued.*

BUILDING DEPARTMENT: order for, referred to the executive committee, 202-report accepted, order passed, 207; order for, 236-referred to the executive committee, 237-report accepted, order passed, 242; order for, 268-referred to the executive committee, 269-report accepted, order passed, 276

CITY COUNCIL: order for, referred to the executive committee, 226-report accepted, order passed, 227

COLLECTING DEPARTMENT: order for, referred to the executive committee, 226-report accepted, order passed, 227; order for, 256-referred to the executive committee, 257-report accepted, order passed, 260

COUNTY OF SUFFOLK, COUNTY ACCOUNTS: order for, referred to the executive committee, 158-report accepted, order passed, 163

COURTHOUSE, FOREST HILLS: order for, 263-referred to the executive committee, 264-report accepted, order passed, 266

ELECTION DEPARTMENT: order for, referred to the executive committee, 158-report accepted, order passed, 163; order for, referred to the executive committee, 237-report accepted, order passed, 242; order for, referred to the executive committee, 263-report accepted, order passed, 266

FINANCE COMMISSION: order for, referred to the executive committee, 255-report accepted, order passed, 260

FIRE DEPARTMENT: order for, referred to the executive committee, 237-report accepted, order passed, 242; order for, referred to the executive committee, 269-report accepted, order passed, 276

HEALTH DEPARTMENT: order for, referred to the executive committee, 230-report accepted, order passed, 233; order for, referred to the executive committee, 269-report accepted, order passed, 276

HIGH SERVICE MAIN, PUBLIC WORKS DEPARTMENT: order for, referred to the executive committee, 144-report accepted, order passed, 147

HOSPITAL DEPARTMENT: order for, referred to the executive committee, 144-report accepted, order passed, 146; order for, referred to the executive committee, 193-report accepted, order passed, 196; order for, 209-referred to the executive committee, 210-report accepted, order passed, 214; order for, referred to the executive committee, 237-report accepted, order passed, 242; order for, 256-referred to the executive committee, 257-report accepted, order passed, 260; order for, referred to the executive committee, 269-report accepted, order passed, 276

HOUSE OF CORRECTION: orders for, referred to the executive committee, 263-laid over to next meeting, 266-recommitted to the executive committee, 275, 276

INSTITUTIONS DEPARTMENT: order for, 209-referred to the executive committee, 210-report accepted, order passed, 214; orders for (3), 236-referred to the executive committee, 237-report accepted, order passed, 242; order for, referred to the executive committee, 263-report accepted, order passed, 266

JAIL: order for, referred to the executive committee, 257-report accepted, order passed, 260

LIBRARY DEPARTMENT: order for, referred to the executive committee, 226-report accepted, order passed, 227

LICENSING BOARD: order for, 256-referred to the executive committee, 257-report accepted, order passed, 260

MAYOR'S OFFICE: order for, referred to the executive committee, 201-report accepted, order passed, 207

MEDICAL EXAMINER, NORTHERN DISTRICT: order for, 268-referred to the executive committee, 269-report accepted, order passed, 276

MUNICIPAL BUILDING, OLD WARD 12: order for, referred to the executive committee, 158-report accepted, given first reading and passed, 168-given final reading and passed, 189, 190

MUNICIPAL COURT: order for, 157-referred to the executive committee, 158-report accepted, order passed, 163; order for, 268-referred to the executive committee, 269-report accepted, order passed, 276

MUNICIPAL COURT, DORCHESTER DISTRICT: order for, referred to the executive committee, 144-report accepted, order passed, 146

MUNICIPAL COURT, SOUTH BOSTON: order for, referred to the executive committee, 202-report accepted, order passed, 207

OVERSEEING OF THE PUBLIC WELFARE DEPARTMENT: order for, referred to the executive committee, 193-report accepted, order passed, 196

PARK DEPARTMENT: orders for 157, 158, 159-referred to the executive committee, 158, 159-report accepted, order passed, 163-given final reading and passed, 180; order for, referred to the executive committee, 182-report accepted, order passed, 190; order for, referred to the executive committee, 193-report accepted, order passed, 196; message transmitting communication and order for transfer for building improvements, 193, 194-referred to the executive committee, 194-report accepted, order passed, 207; orders for, referred to the executive committee, 237-report accepted, order passed, 242; order for, referred to the executive committee, 256-report accepted, order passed, 260; orders for, 268, 269-referred to the executive committee, 269-report accepted, order passed, 276

POLICE STATION, NO. 2: order for, referred to the executive committee, 264-report accepted, order passed, 266

PRINTING DEPARTMENT: order for, referred to the executive committee, 193-report accepted, order passed, 196; order for, 236, 237-referred to the executive committee, 237-report accepted, order passed, 242

Department Transfers, *continued.*

PUBLIC BUILDINGS DEPARTMENT: order for, referred to the executive committee, 193-report accepted, order passed, 196; orders for, 256, 257-referred to the executive committee, 257-reports accepted, order passed, 260

PUBLIC WORKS DEPARTMENT: order for, referred to the executive committee, 126-report accepted, order passed, 133, 134; order for, 157, 158-referred to the executive committee, 158-report accepted, order passed, 163; order for, referred to the executive committee, 158-report accepted, order passed, 163; orders for, referred to the executive committee, 165-report accepted, order passed, 168; order for, referred to the executive committee, 182-report accepted, order passed, 190; orders (3) for, referred to the executive committee, 193-reports accepted, order passed, 196; order for, referred to the executive committee, 202-report accepted, order passed, 207; order for, 209-referred to the executive committee, 210-report accepted, order passed, 214; order for, referred to the executive committee, 226-reports accepted, order passed, 227; order for, referred to the executive committee, 230-report accepted, order passed, 233; orders for (3) referred to the executive committee, 237-report accepted, order passed, 242; orders for, 256-referred to the executive committee, 257-reports accepted, order passed, 260; orders for, referred to the executive committee, 263-report accepted, order passed, 266; order for, referred to the executive committee, 264-report accepted, order passed, 266; order for, referred to the executive committee, 269-report accepted, order passed, 276; order for, referred to the executive committee, 277-report accepted, order passed, 280

REGISTRY DEPARTMENT: order for, referred to the executive committee, 263-report accepted, order passed, 266

SOLDIERS' RELIEF DEPARTMENT: order for, referred to the executive committee, 193-report accepted, order passed, 196; order for, referred to the executive committee, 217-report accepted, order passed, 218; order for, 268-referred to the executive committee, 269-report accepted, order passed, 276

STEAMERS "MONITOR" AND "GEORGE A. HIBBARD": order for, 157-referred to the executive committee, 158-report accepted, order passed, 163

STREET LAYING-OUT DEPARTMENT: order for \$500, referred to the executive committee, 170-report accepted, order passed, 174; order for, 209, 210-referred to the executive committee, 210-report accepted, order passed, 214; order for, 256-referred to the executive committee, 257-report accepted, order passed, 260

SUFFOLK COUNTY COURTHOUSE: order for, referred to the executive committee, 263-report accepted, order passed, 266

SUPERIOR COURT: order for, referred to the executive committee, 226-report accepted, order passed, 227; order for, referred to the executive committee, 257-report accepted, order passed, 260; order for, 268-referred to the executive committee, 269-report accepted, order passed, 276

SUPPLY DEPARTMENT: order for, 268-referred to the executive committee, 269-report accepted, order passed, 276

WATER INCOME TO HIGH PRESSURE FIRE SYSTEM: order for, referred to the executive committee, 201-report accepted, order passed, 207

Development of Port of Boston. (*See* Port of Boston, Development of.)

Dineen, Mrs. Elizabeth J.

resolution favoring enactment of legislation to continue the payment of a pension, passed, 7; order to accept act to pension, passed, 70

Ditmars (Harry Fenwick) Square. (*See* Squares, Naming and Renaming.)

Doane, Ralph Harrington.

resignation as schoolhouse commissioner accepted, placed on file, 6

Dobry (Michael J.) Square. (*See* Squares, Naming and Renaming.)

Docking Facilities, Taking of.

order as to advisability, 54-passed, 55

Dolan, Edmund L.

appointed city collector, placed on file, 7

Dolan, John J.

resolution favoring legislation to reinstate John J. Dolan, passed, 10-vetoed, 16

Dolan, Thomas C.

notice of appointment as schoolhouse commissioner, placed on file, 64, 112

Dolloff, C. W., & Co.

notice of bond of indemnity, placed on file, 231

Donoghue, John A., Councilor.

oath of office administered: page 1

appointed: committees, 15

orders and resolves:

abandonment of railroad yard, 55
 crowding of street cars, 260
 hearing on port of Boston, 59
 increase in salaries of doctors and nurses, 4
 jurisdiction as to track locations, 259
 legislation for Elias J. Stewart, 315
 lighting of Frederick K. Emmons playground, 146
 loan for Christopher J. Lee playground, 83
 motion to recall order for loan, 38
 naming of Dobry (Michael J.) sq., 206
 naming of Gozikowski (Stanislaw) sq., 206
 naming of Keyes (William J.) sq., 206
 notice of election, 266
 payment to Mrs. Lawrence Flanagan, 10
 payment to Mrs. Ellen O'Brien, 59, 97
 pension for Richard A. Friel, 27
 railway locations granted by street commissioners, 294
 reinstatement of John J. Carey, 10
 reinstatement of Philip J. Powers, 10
 replacing of elevated structures, 146
 road race, Cathedral A. C., 55
 rules adopted, 4
 sidewalks, Custer st., 81
 sidewalks, Williams st., 74
 state election, 241, 242
 taking of docking facilities, 54
 transit commission to give preference to citizens of Boston, 48

remarks:

abandonment of railroad yard, 55
 adjournment, 148
 completion of strandway, 28, 29, 32, 33
 constables' appointments, 107, 117
 convenience station, East Boston, 51, 52, 53
 crowding of street cars, 260
 erection and completion of station No. 2, 147, 148
 hearing on port of Boston, 59
 itinerant vendors' licenses, 253
 jurisdiction as to track locations, 259, 260
 loan for Christopher J. Lee playground, 83, 84
 naming of boat, "Michael J. Perkins," 208
 next meeting, 190
 railway locations granted by street commissioners, 294
 retirement system, 178, 179, 180
 settlement of Atlas Company claims, 200
 shutting off water, 306
 taking of docking facilities, 54, 55
 transfers to House of Correction, 275, 276

Donohue, Francis P.

message with order for reimbursement of amount of judgment for \$867.51, to be charged to the reserve fund, referred to the executive committee, 297-report accepted, order passed, 301

Donovan, Peter A.

appointed director of the collateral loan company, 138

Dorsey, James A.

appointed listing board, placed on file, 101

Douglas, George A.

appointed member of board of examiners, placed on file, 128

Dowd (John Joseph) Square. (See Squares, Naming and Renaming.)**Doyle, Wilfred J.**

appointed member of the retirement board, placed on file, 217-approved by civil service commission, placed on file, 239

Drinking Fountains. (See Park Department.)**Driscoll, Dennis D.**

notice of appointment as deputy commissioner of institutions, placed on file, 13-approved by civil service commission, 44

Driscoll, Mrs. Daniel J.

resolution favoring legislation for payment of annuity, passed, 315

Dudley Street, Ward 12.

sidewalks: order for construction, passed, 161

Dudley Street, Ward 17.

sidewalks: schedule of costs with order to assess and collect, passed, 13

Duggan, Mary A.

petition to be retired, 257-report with order for retirement, report accepted, order passed, 260

Dunn, Gen. John H.

notice of appointment as temporary superintendent of printing, placed on file, 7; notice of appointment as temporary schoolhouse commissioner, placed on file, 7; appointed temporary assessor, 24; notice of appointment as temporary soldiers' relief commissioner, placed on file, 140, 231; appointed soldiers' relief commissioner, placed on file, 211

Dunton, Minnie O.

resolution favoring legislation to pension, passed, 10

Dwyer, Daniel F.

resolution favoring legislation for reinstatement in the fire department, passed, 318

Eagan (Edward F.) Square. (See Squares, Naming and Renaming.)**Eagan, James F.**

appointed election commissioner, placed on file, 128-approved by civil service commissioner, placed on file, 160

Easements. (See Prevention of Acquiring Easements.)**East Boston Tunnel Debt.**

message transmitting order for appropriation of \$6,843 for interest and sinking fund requirements, given first reading and passed, 3

East Milton Street, Hyde Park.

order for laying out, passed, 60

Eastern Massachusetts Street Railway Company.

track locations: granted, placed on file, 8th, Walk Hill st., 112; 9th, South st., Belgrade ave. and Corinth st., 145

Edison Electric Illuminating Company.

hearing: on petition for approval of an issue of additional stock, placed on file, 239

investigation of: message with order for appropriation of \$20,000 to be charged to the reserve fund, 41, 42—referred to the executive committee, 42—report accepted, order passed, 47; message with order for \$25,000, to be charged to the reserve fund, referred to the executive committee, 138—report accepted, order passed, 140; order for information regarding, 272—passed, 273

Edwards, Major-General Clarence R.

preamble, resolution and order for tribute to, passed, 274

Election Department.

commissioners: Francis A. McLaughlin, appointed, 44; Thomas E. Goggin, appointed, 63—approved by civil service commission, 101; Fred A. Finigan, appointed, 70; James F. Eagan, appointed, 128; Frank Seiberlich, appointed, 128

certificate of election: mayor and new members of city council, 1

election returns: order for receiving, passed, 241; orders concerning, passed, 266; certified notices received (2), placed on file, 293

jury list: City Document No. 40, placed on file; names ordered written and placed in ballot box, passed, 76

notice of election: orders concerning, 241, 242—passed, 242

registration: message with communication and order for transfer of \$1,988 from the reserve fund, referred to the executive committee, 152—report accepted, order passed, 153

special election, Ward 10: orders holding and for giving notice, passed, 4

supervisors: message with communication and order regarding rate of compensation, 286, 287—referred to the executive committee, 287—report accepted, order passed, 294

Elks' Hospital, Parker Hill. (See Institutions Department.)**Elkins, Adeline F. D. (See Pensions.)****Elm Street, Ward 24.**

sidewalks; order for construction, passed, 309

Elven Road, Roslindale.

order to lay out as a public way, passed, 92

Employees at Automobile Show. (See Automobile Show, Employees at.)**Equipment of Public Buildings.**

notice that request cannot be complied with under the terms of the will of George Robert White, placed on file, 160

Euclid-Street, Ward 21.

sidewalks; schedule of cost with order to assess and collect, 69, 70—passed, 70

Fairland Street, Ward 12.

sidewalks; order for construction, passed, 174

Fay, Frederick H.

notice of appointment as chairman of city planning board, placed on file, 160

Feeney, Joseph F.

notice of appointment as overseer of the public welfare, placed on file, 121—approved, 145

Fellows Street Playground.

order for change of name to Sullivan (James M. and John J.) playground, passed, 91

Fens. (See Park Department.)**Finance Commission.**

department transfer: order for, referred to the executive committee, 255—report accepted, order passed, 260

Finigan, Fred A.

notice of appointment as election commissioner, placed on file, 70

Fire Anniversary. (See Public Celebrations.)**Fire Department.**

commissioner: Theodore A. Glynn, appointed, 167

acting commissioner: notice of resignation of Joseph P. Manning, placed on file, 63

temporary commissioner: William J. Casey, appointed, 63

alarm bell: order for placing alarm bell upon fire alarm box on East st., passed, 72; message, transmitting communication, placed on file, 96

high service main: see Public Works Department

pensions and annuities:

Barker, Mrs. William H., 293

Leonard, Mrs. Michael C.: 10

Swan, Mrs. William C.: 220

sale of old material: message transmitting communication and order, referred to the executive committee, 304—report accepted, order passed, 306

two-platoon system: draft of ordinance, referred to the executive committee, 305—report accepted, ordinance passed, 322; order requesting figures as to the increased cost, passed, 316—message with communications giving estimate of cost, referred to the executive committee, 317—report accepted, communications placed on file, 322

Firearms, Sale of.

AMARU, PLACIDO: petition, 90

AMARU, P., & Co.: petition, 194

BAHN, MOSES: petition, 90

BAKER & KIMBALL, INC.: petition, 101, 194

BAY STATE LOAN COMPANY: petition, 120

BEAN, EDWARD: petition, 112

BERKELEY LOAN COMPANY: petition, 90

CIULLO, G., & BROTHER, INC.: petition, 128

COHEN, SAMUEL: petition, 120

CONNORS, H. ANGUS: petition, 90

DAVIS, LAZARUS: petition, 96

DEANGELIS, M., & BROTHER: petition, 128

DOELL, FREDERICK H.: petition, 96

EINSTEIN, CHARLES: petition, 121

FENWAY LOAN COMPANY: petition, 96

FREDENBURG, SAMUEL: petition, 96

FREEDMAN, SIMON: petition, 90

FRIEDMAN, SAMUEL: petition, 101

GLOTT & SISSON: petition, 90

GOLDBERG BROTHERS: petition, 194

GOODMAN, HARRY: petition, 90

GROUT, EDWARD A., & Co.: petition, 96

HERMAN, ECHEL: petition, 167

HYDE PARK LOAN COMPANY: petition, 101

INTERNATIONAL EXCHANGE CORPORATION: petition, 96

INTERNATIONAL EXCHANGE CORPORATION LOAN ASSOCIATION: petition, 24—granted, 33

IVER JOHNSON SPORTING GOODS COMPANY: petition, 101

KADETS, JULIETTE: petition, 90

KAHN, JACOB H.: petition, 96

KIRKWOOD BROTHERS, INC.: petition, 90

LEFKOVICH, LOUIS: petition, 195

Firearms, Sale of, continued.

LEFKOVICH, MAX H.: petition, 90
 MACDONALD, JAMES: petition, 90
 MANDELSTAM, OSCAR W.: petition, 128
 MONGARBI, GIOVANNI: petition, 167
 NATIONAL BLADE SERVICE (2): petitions, 96
 NELSON, MARK: petition, 101, 172
 NEW ENGLAND LOAN COMPANY: petition, 145
 NORMAN LOAN COMPANY: petition, 140
 PARTRIDGE, HORACE, COMPANY, THE: petition, 95
 PEARLMAN, ABRAM: petition, 167
 PEARLSTEIN, ELI: petition, 101
 PEARLSTEIN, JENNIE: petition, 121
 PEARLSTEIN, MAURICE: petition, 140
 PROVIDENT LOAN COMPANY: petition, 101
 RANSOM, C. E., & Co.: petition, 90
 RICCIO, ANTHONY C.: petition, 167
 RICH, SAUL A.: petition, 90
 RICHARDSON DRUG COMPANY: petition, 90
 ROBINSON, S.: petition, 44—granted, 46, 47
 ROBINSON, SIMON: petition, 128
 ROSENBAUM, M. S.: petition, 195
 ROSENBERG, MAX: petition, 90
 ROSENFELD, WILLIAM: petition, 96
 ROSENTHAL, HYMAN: petition, 167
 ROSENTHAL, MICHAEL T.: petition, 167
 ROYAL LOAN COMPANY: petition, 195
 SCHNEIDER, JACOB: petition, 96
 SCHONFELD, VICTOR: petition, 121
 S. EUGENE PROCTOR COMPANY: petition, 128, 172
 SEGAL, LOUIS: petition, 128
 SHAWMUT LOAN COMPANY: petition, 90
 SHINDLER, J. H.: petition, 44—granted, 46, 47
 SIMMONS, SUPERIOR: petition, 183
 SLESSINGER, H.: petition, 112
 SMITH, BOB: petition, 90
 SONNABEND, JOSEPH: petition, 101
 S. SIMONS HARDWARE COMPANY: petition, 128
 STARR, HYMAN W.: petition, 50—granted, 51; petition, 90
 STARR, SAMUEL: petition, 90
 SUBWAY LOAN COMPANY: petition, 96
 TIEMAN & SISSON: petition, 96
 TOSI MUSIC COMPANY: petition, 90
 VARA BROTHERS: petition, 90
 WEINFELD, M.: petition, 96
 WINCHESTER COMPANY, THE: petition, 96
 WINCHESTER—READ STORE: petition, 90
 WINCHESTER STORES, THE (2): petitions, 90
 YAVNER, MORRIS: petition, 167
 resolutions concerning, passed, 82

Fish, William A.

notice of appointment as member of board of examiners, placed on file, 160

Fitzgerald, W. T. A.

notice of approval of bond, placed on file, 35; sworn in as register of deeds and bond approved, 303

Fitzpatrick, Mrs. Anthony.

resolution favoring annuity, passed, 305—vetoed, 313

Fitzpatrick, James H.

appointed member of board of appeal, placed on file, 123—approved by civil service commission, placed on file, 160

Fitzsimmons, Mary M.

order favoring legislation for retirement, passed, 71; order to accept act to pension, passed, 133

Flagpoles. (See City Messenger's Department.)**Flanagan, Mrs. Lawrence.**

resolution favoring legislation for payment to, passed, 10—vetoed, 16, 17

Flattery, M. Douglas.

notice of appointment as member of Boston conservation bureau, placed on file, 242—approved by civil service commission, placed on file, 265.

Florence Street, Ward 23.

sidewalks: order for construction, passed, 81

Flynn (James J.) Square. (See Squares, Naming and Renaming.)**Fogarty, Edward P.**

notice of appointment as secretary *pro tem* of the board of street commissioners 195

Ford, Francis J. W., Councilor.

appointed: committees, 15

orders and resolves:

alarm bell on fire alarm box, 72
 annuity for Mrs. William H. Barker, 293
 annuity for Mrs. W. J. Hennessey, 259
 annuity for Mrs. Michael C. Leonard, 10
 bathing facilities, East Boston, 37
 bath house, Jeffries Point, 46
 bleacher seats, Sullivan sq. playground, 104
 bleachers, etc., Cottage st. playground, 133
 closing of navy yard, 64
 closing of registry of deeds, 133
 compensation to Louise McGill, 70
 Dante Alighieri branch, 163
 eighth assistant clerk, 91
 extension of term, commission on necessities of life, 81
 laying out of streets, Hyde Park, 60
 lease of city land in West Roxbury, 273, 274
 leasing of city building, 274
 municipal building, West End, 46
 naming of Crowley (Joseph C.) sq., 46
 naming of Davis (John J.) sq., 164
 opening of Hyde Park gymnasium, 92
 payment to Mrs. McGill, 46, 70
 payment to parents of John Joseph Kelly, 10, 129, 164
 pension for Adeline F. D. Elkins, 54
 pension for Mary M. FitzSimmons, 133
 pension for Michael F. Meagher, 121
 price of anthracite coal, 104
 protest against state legislation, 65
 retirement of Mary M. FitzSimmons, 71
 sidewalks, Blakeville st., 81
 sidewalks, Elm st., 309
 tablet for Thomas J. Giblin, Jr., 163
 thanks to retiring president, 325
 transfer of Britain sq., 80

remarks:

action on constables, 94
 bathing facilities, East Boston, 37
 building line, Province st., 186, 187
 closing of navy yard, 64
 coal situation, 113, 114, 115
 compensation to Louise McGill, 70
 completion of strandway, 32
 extension of term, commission on necessities of life, 81
 lease of city land in West Roxbury, 274
 leasing of city building, 274
 loan for Baldwin place playground, 135
 loan for Christopher J. Lee playground, 83, 84
 motion picture censorship, 244
 opening of Hyde Park gymnasium, 92
 pension to Adeline F. D. Elkins, 54
 price of anthracite coal, 104, 105, 106, 107
 protest against state legislation, 65
 retirement of Mary M. FitzSimmons, 71
 thanks to officials, 325, 326

Forsyth, Thomas A.

notice of appointment as secretary of city hospital trustees, placed on file, 102

Fox, Charles J.

appointed budget commissioner, placed on file, 101—approved by civil service commission, placed on file, 121; notice of appointment as temporary soldiers' relief commissioner, placed on file, 174

Franklin Avenue, Ward 8.

sidewalks: order for construction, passed, 203

Friel, Richard A.

resolution favoring legislation for pension, passed, 27

Fuel Oil Equipment, City Hall Annex. (See Public Buildings Department.)**Fuel Supply.**

committee: order to appoint, passed, 219

loan: message with order for loan of \$250,000, 216, 217—referred to the executive committee, 217—report accepted, given first reading and passed, 218—given second and final reading and passed, 231

Gaffney, Thomas.

resolution favoring legislation for reinstatement in public works department, passed, 308

Garages in Boston.

order for acceptance of act relative to, referred to the executive committee, 97—report accepted, order passed, 97; communication from the mayor, 119, 120—placed on file, 120

Gas, Reduction in Price of.

order requesting, passed, 7

Gasolene, Storage and Sale of.

Marks Angel: report with order of disapproval of granting license, report accepted, order passed, 33

permits and hearings: 6, 11, 13, 24, 37, 44, 47, 51, 63, 66, 76, 91, 92, 102, 113, 121, 129, 134, 140, 145, 147, 160, 163, 174, 195, 210 (2), 220, 227, 239, 242, 247, 258, 266, 271, 278, 289, 298, 305, 306, 308, 315, 318, 222

Gaudreau, Wilfred J.

notice of appointment as inspector in the health department, placed on file, 145

Gavin, Thomas J.

resolve favoring legislation reinstating, passed, 84—vetoed, 95

George R. White Fund.

acceptance of bequest: message, preambles, copies of bequests, and order for acceptance, 42, 43—referred to the executive committee, 43—report accepted, preambles and order passed, 47

expenses of trustees and manager: order to charge to the reserve fund, referred to the executive committee, 127—report accepted, order passed, 133

German town Citizens' Association.

communication requesting the installation of a water supply, placed on file, 174

Giblin, Thomas J., Jr.

order to construct tablet in his memory, passed, 163

Gilbody, George F., Councilor.

oath of office administered: page 1

appointed: committees, 15, 219

orders and resolves:

claim of D. Doherty Co., 10
courthouse, Dorchester, 65
drinking fountains, Boston Common, 195
electric light, Mather street, 293
equipment of buildings for veterans, 106
extension of Spanish war veterans' plot, 195
extension of Stratton st., 129
Francis J. Kane sq., 65
improvement of Gibson st. playground, 48
lease of city land, 259
leasing of school building, 140
leave of absence to city delegates, 218
legislation concerning Daniel F. Dwyer, 318
legislation favoring William Segal, 37, 129
legislation for Joseph V. Cummings, 309
legislation for William F. Hutchinson, 315
money for soldiers' relief, 59, 113, 206, 265, 315 (2)
money for streets and sidewalks, 267
naming of Burke (Leonce C.) sq., 27
naming of Hayes (Robert) sq., 65
naming of Jones (William C.) sq., 146
naming of Mahoney (Cornelius T.) sq., 27
naming of McIver (Gavin R.) sq., 146
naming of Mulhern (William J.) sq., 27
naming of Warren (Samuel) sq., 59
payment to Miss McShane, 97, 146
payment to William Segal, 161, 167
presence of park commissioners desired, 55
reimbursement of D. Doherty Company, 301
relief station, Dorchester, 146
roping off streets for road race, 82
sidewalks, Adams st., 123
sidewalks, Blue Hill avenue, 266
sidewalks, Centre ave., 195
sidewalks, Centre st., 195
sidewalks, Leonard st., 174
sidewalks, Neponset ave., 123
sidewalks, Nixon street, Dorchester, 265, 266
signs, Pierce square, 293
suppression of Ku Klux Klan, 220
transfer of city building, 113
tribute to General Edwards, 274
unfinished business to committees, 4
veterans' compensation, 35

remarks:

convenience station, East Boston, 52
electric light, Mather street, 293
equipment of buildings for veterans, 106
extension of Spanish war veterans' plot, 195
money for streets and sidewalks, 267
retirement system, 177, 178
suppression of Ku Klux Klan, 220

Giorgione (Gaetano) Square. (See Squares, Naming and Renaming.)**Giovannani (Joseph J.) Square. (See Squares, Naming and Renaming.)****Glynn, Theodore A.**

notice of appointment as fire commissioner, placed on file, 167; notice of approval by civil service commission, placed on file, 195

Glynn, Thomas P.

appointed schoolhouse commissioner, placed on file, 7—approved by civil service commission, 24; notice of appointment as schoolhouse commissioner, placed on file, 96—approved by the civil service commission, placed on file, 112

Goggin, Thomas E.

notice of appointment as election commissioner, placed on file, 63—approved by civil service commission, placed on file, 101

Goods, Weighers of.

AHEARN, HENRY M.: appointed, 6—confirmed, 14
BIGELOW, EDWARD: appointed, 110—confirmed, 123
BOKELMAN, HENRY W.: appointed, 193—confirmed, 208

Goods, Weighers of, *continued.*

BORDEN, CLAUDE J.: appointed, 193—confirmed, 208
 BRAUN, CARL G.: appointed, 170—confirmed, 183
 BURKE, CHESTER D.: appointed, 119—confirmed, 135
 CAMPBELL, FRANCIS M.: appointed, 56—confirmed, 66
 CANTY, AUGUSTUS T.: appointed, 268—confirmed, 280
 CHAMPA, LAWRENCE: appointed, 143—confirmed, 164
 CHAMPA, LOUIS: appointed, 125—confirmed, 141
 CLARK, JOHN J.: appointed, 143—confirmed, 164
 COAKLEY, JOHN P.: appointed, 143—confirmed, 164
 COFFEY, THOMAS F.: appointed, 67—confirmed, 81
 CORBETT, GESNER: appointed, 227—confirmed, 231
 COYNE, RICHARD E.: appointed, 193—confirmed, 208
 CUMMINGS, PATRICK J.: appointed, 154—confirmed, 169
 DAVIS, ERVIN: appointed, 6—confirmed, 14
 DOHERTY, JOHN E.: appointed, 143—confirmed, 164
 DONEGAN, J. EDWARD: appointed, 143—confirmed, 164
 DUNN, GRANT: appointed, 143—confirmed, 164
 GALLON, FRANK: appointed, 49—confirmed, 60
 GERRISH, WILLIAM E.: appointed, 143—confirmed, 164
 GOOD, ERNEST C.: appointed, 143—confirmed, 164
 GOODE, CHARLES E.: appointed, 193—confirmed, 208
 GOULD, IRVING A.: appointed, 143—confirmed, 164
 GREY, RICHARD L.: appointed, 170—confirmed, 183
 GRIFFIN, GEORGE F.: appointed, 143—confirmed, 164
 HALL, GEORGE B.: appointed, 257—confirmed, 265
 HARRIS, CHARLES H.: appointed, 56—confirmed, 66
 HILTON, EDWIN A.: appointed, 6—confirmed, 14
 HOLT, THOMAS A.: appointed, 193—confirmed, 208
 JOHNSON, RALPH: appointed, 143—confirmed, 164
 KEARNS, MARTIN J.: appointed, 143—confirmed, 164
 KELLARD, PATRICK J.: appointed, 95—approved, 107
 LAWRENCE, MARSHALL: appointed, 304—confirmed, 309
 LEE, CEDRIC C.: appointed, 170—confirmed, 183
 LEONARD, WILLIAM J.: appointed, 143—confirmed, 164
 LITTLEWOOD, GEORGE: appointed, 193—confirmed, 208
 McCANN, MICHAEL J.: appointed, 143—confirmed, 164
 McCARTHY, JUSTIN: appointed, 143—confirmed, 164
 McGONAGLE, JAMES E., JR.: appointed, 99—confirmed, 116
 McNAMARA, THOMAS P.: appointed, 286—confirmed, 301
 MERIGOLD, A. J.: appointed, 193—confirmed, 208
 MERRIAM, HORATIO S.: appointed, 125—confirmed, 141
 MILES, FRED WILLIAM: appointed, 49—confirmed, 60
 MILLER, WILLIAM G.: appointed, 143—confirmed, 164
 MOODY, HORACE W.: appointed, 193—confirmed, 208
 MULDOON, WILLIAM H.: appointed, 193—confirmed, 208
 MURPHY, JAMES: appointed, 143—confirmed, 164
 O'LEARY, JOHN J.: appointed, 138—confirmed, 147
 POWERS, JAMES J.: appointed, 183—confirmed, 208
 REIDY, CORNELIUS J.: appointed, 110—confirmed, 123
 RIPLEY, WALTER C.: appointed, 143—confirmed, 164
 ROUNSEVELL, JOHN L.: appointed, 170—confirmed, 183
 RYDER, MICHAEL J.: appointed, 257—confirmed, 265
 SECOR, GEORGE D.: appointed, 143—confirmed, 164
 SEGEE, FREDERICK R.: appointed, 143—confirmed, 164
 SHEDD, RICHARD I.: appointed, 216—confirmed, 228
 SHEEHAN, DANIEL P.: appointed, 67—confirmed, 84
 SHUTT, WILLIAM A.: appointed, 99—confirmed, 116
 STEWART, JOHN M.: appointed, 312—confirmed, 322
 STONE, LORENZO F. C.: appointed, 182—confirmed, 196
 TRAYERS, FRANCIS A.: appointed, 99—confirmed, 116
 TYLER, RICHARD M.: appointed, 312—confirmed, 322
 WEST, ALBERT: appointed, 170—confirmed, 183
 WEST, HERBERT T.: appointed, 154—confirmed, 169
 WHITE, LOUIS F.: appointed, 138—confirmed, 147
 WILDER, FORREST G.: appointed, 268—confirmed, 280
 WRIGHT, ALLAN: appointed, 143—confirmed, 164

Gookin, Margaret J.

notice of appointment as overseer of the public welfare, placed on file, 64—approved by the civil service commission, 91

Gozikowski (Stanislaw) Square. (*See Squares, Naming and Renaming.*)**Grade Crossing.**

see West End Street Railway Company

Grady Square.

petition of John J. Hayes *et al.*, that name of Maverick square be changed to, 288—report with order, report accepted, order passed, 306—vetoed, 313, 314

Graham, Patrick H.

notice of appointment as superintendent of markets, placed on file, 63—approved by civil service commission, placed on file, 101

Grain, Measurers of.

CLARK, JOHN J.: appointed, 143—confirmed, 164
 COAKLEY, JOHN P.: appointed, 143—confirmed, 164
 DOHERTY, JOHN E.: appointed, 143—confirmed, 164
 DONEGAN, J. EDWARD: appointed, 143—confirmed, 164
 DUFFY, ARTHUR J.: appointed, 143—confirmed, 164
 DUNN, GRANT: appointed, 143—confirmed, 164
 GERRISH, WILLIAM E.: appointed, 143—confirmed, 164
 GOOD, ERNEST C.: appointed, 143—confirmed, 164
 GOULD, IRVING A.: appointed, 143—confirmed, 164
 GRIFFIN, GEORGE F.: appointed, 143—confirmed, 164
 JACKSON, GILBERT C.: appointed, 268—confirmed, 280
 JOHNSON, RALPH: appointed, 143—confirmed, 164
 KEARNS, MARTIN J.: appointed, 143—confirmed, 164
 LEONARD, WILLIAM J.: appointed, 143—confirmed, 164
 McCANN, MICHAEL J.: appointed, 143—confirmed, 164
 McCARTHY, JUSTIN: appointed, 143—confirmed, 164
 MILLER, WILLIAM G.: appointed, 143—confirmed, 164
 MURPHY, JAMES: appointed, 143—confirmed, 164
 RIPLEY, WALTER C.: appointed, 143—confirmed, 164
 SECOR, GEORGE D.: appointed, 143—confirmed, 164
 SEGEE, FREDERICK R.: appointed, 143—confirmed, 164
 WOOD, HARRY B.: appointed, 143—confirmed, 164
 WRIGHT, ALLAN: appointed, 143—confirmed, 164

Green, Ellen C. (*See Pensions.*)**Guterman, Harry N.**

notice of appointment as member of Boston conservation bureau, placed on file, 242—approved by civil service commission, placed on file, 265

Hagan, Henry E., Councillor.

appointed: committees, 15

orders and resolves:

convenience station, East Boston, 51
 cost of two-platoon system, 316
 information as to item transfers, 294
 jury list, 76
 ordinance concerning soliciting in the streets, 59
 payment of wages to per diem employees, 266
 proposed rescission of South Boston gymnasium order, 73
 sick leave, city employees, 315
 sidewalk, Adelaide st., 97

remarks:

building line, Province st., 183, 188, 189
 itinerant vendors' licenses, 250, 251, 252, 253
 naming of boat, "Michael J. Perkins," 207
 next meeting, 190
 payment of wages to per diem employees, 266, 267
 protest against discrimination at Harvard, 129, 130, 132
 removal of Webster's dictionary, 206
 settlement of Atlas Company claims, 198, 199, 200
 sick leave, city employees, 315
 taking of docking facilities, 54

Hanley, James H.

resolution favoring legislation for reinstatement in public works department, passed, 308-vetoed, 313

Hasson (John Francis) Square. (*See Squares, Naming and Renaming.*)**Hay and Straw, Pressed or Bundled, Inspectors of.**

DUFFY, ARTHUR J.: appointed, 143-confirmed, 164
WOOD, HARRY B.: appointed, 143-confirmed, 164

Hayes, John J., et al.

petition to change name of Maverick sq. to Grady sq., 288-report with order, report accepted, order passed, 306-vetoed, 313, 314

Hayes, John M.

notice of appointment as deputy assessor, placed on file, 305

Hayes (Robert) Square. (*See Squares, Naming and Renaming.*)**Health Department.**

commissioner: Francis X. Mahoney, M. D., appointed, placed on file, 7
temporary commissioner: notice of appointment of Dr. John P. O'Brien, placed on file, 6

convenience station: order for removal, passed, 249

gas fixture inspector: Francis E. Heedy, appointed, 145

inspectors: David R. MacSwain, John C. Clougherty, James M. Murphy, William F. Brown, Walter V. Campbell, Wilfred J. Gaudreau, John M. Sullivan, appointed, 145

muzzling of dogs: message transmitting communication and order, referred to the executive committee, 159-report accepted, order passed, 163

ordinance: draft of, referred to the committee on ordinances, 301

Hearings.

see Edison Electric Illuminating Company
see Gasolene
see Boston Elevated Railway Company
see Histories in Schools.

Heedy, Francis E.

notice of appointment as gas fixture inspector, placed on file, 145

Hennessey, Mrs. William J. (*See Annuities.*)**Henshaw Street, No. 35.**

sidewalk: order for construction, passed, 218

Herlihy, Elisabeth M.

notice of appointment as secretary of city planning board, placed on file, 160

Hickey, John F.

notice of appointment as member of the board of examiners, placed on file, 195-notice of approval by civil service commission, placed on file, 202

High Service Main. (*See Public Works Department.*)**Highways, Making of.** (*See Street Laying-Out Department.*)**Histories in Schools.**

order regarding use of certain books in schools, 223-passed, 225; communication from the school committee, 239; order requesting the removal of certain books from use in the public schools, 239, 240-passed, 241; communication transmitting majority and minority reports, 298-placed on file, 299; communication regarding hearing, 257-placed on file, 258

Histories of the United States in the Public Library.

order to furnish list, 247-passed, 249; order for information as to what action has been taken, passed, 266; communication with list of histories, placed on file, 271

Hogan, Frank J.

order favoring reinstatement, passed, 71

Holidays.

evacuation day: order for half-holiday for paraders, referred to the executive committee, 27-report accepted, order passed, 33

July 3: order for, passed, 146

September 30, October 1 and 2: order for delegates, passed, 190

Holland, Neal J.

notice of appointment as assessor, placed on file, 24, 63

Holmes (John C.) Square. (*See Squares, Naming and Renaming.*)**Holton Street, Ward 26.**

sidewalks: order for construction, passed, 97

Hospital Department.

trustee: Henry S. Rowen, appointed, 64

organization: Joseph P. Manning, president; Thomas A. Forsyth, secretary, 102

relief station, Dorchester: order as to advisability and expense of establishing, passed, 146

Hospitals for Insane.

investigation of: order for, 278-passed, 280

Howard, John L.

notice submitting indemnity bonds, placed on file, 6

Humboldt Avenue, Ward 16.

sidewalks: order for construction, passed, 116

Huntington Avenue, Ward 7.

sidewalks: order for construction (3), passed 271, 272

Hurley, Mrs. Jeremiah J.

notice of appointment as overseer of the public welfare, placed on file, 64-approved by civil service commission, placed on file, 101

Hutchinson, William F.

resolution favoring legislation for reinstatement in police department passed, 315

Hyde Park Avenue, Ward 24.

sidewalks: order for construction, passed, 123

Hyde Park Gymnasium. (*See Public Buildings Department.*)

Hyde Square.

order that name be changed to Mahoney (Cornelius T.) sq., passed, 27;
order that name be changed to Mahoney (Cornelius J.) sq., passed, 71

Ice for Drinking Fountains. (See Public Works Department.)**Inaugural Address.**

1, 2, 3

Indemnity Bond.

notice submitting bonds, placed on file, 6

Institutions Department.

commissioners: William J. Casey, appointed, placed on file, 7; notice of withdrawal, placed on file, 35; Dr. David J. Johnson, appointed, placed on file, 35, 63

deputy commissioner: Dennis D. Driscoll, appointed, placed on file, 13—approved by civil service commission, 44

hospital, Parker Hill: message with order for offer of purchase from the Order of Elks, 287–288—referred to the executive committee, 288—report accepted, order passed, 294

purchase of steamer; message transmitting communication and order for transfer of \$40,000, from the reserve fund, 197, 198—referred to the executive committee, 198—report accepted, order passed, 207

sale of pigs: message transmitting communication and order for sale, 126, 127—referred to the executive committee, 127—report accepted, order passed, 133; message containing communication and order, passed, 171

steamer "Monitor": message transmitting communication and order for sale, referred to the executive committee, 307—report accepted, order passed, 309

temporary commissioner: notice of appointment of Dr. John F. O'Brien, placed on file, 7

Itinerant Vendors' Licenses. (See Ordinances.)**Jamaica Plain Tuesday Club.**

communication for regulation of roller skating, referred to the committee on ordinances, 91

Jamaica Street, Ward 22.

sidewalks; order for construction, passed, 195

James Phinney Baxter Bequest.

message with order for acceptance, referred to the executive committee, 157—report accepted, order passed, 163

Jitneys.

bonds: received, 13

committee: on licenses, passed, 4

licenses to operate:

BOSTON ELEVATED RAILWAY COMPANY: petitions, 289—reports accepted, orders passed, 306

CHAMBERLAIN, PERCY A.: petition, 13

McCUE, THOMAS JOSEPH: petition, 121

ROBERTO, ALFONSO: petition, 220—granted, 249—vetoed, referred to the executive committee, 254—report accepted, message placed on file, 260

Johnson, Dr. David J.

notice of appointment as institutions commissioner, placed on file, 35, 63

Johnson, John H.

notice of appointment as member of Boston conservation bureau, placed on file, 242

Jones (William C.) Square. (See Squares, Naming and Renaming.)**Judges, Election of.**

report with resolution in new draft, report accepted, resolution passed, 11

Judson Street, Ward 17.

sidewalks; schedule, passed, 202

Julian Street, Ward 17.

sidewalks; schedule, passed, 202

Jurors.

drawn: 12, 39, 40, 49, 80, 85, 86, 119, 124, 142, 149, 154, 182, 191, 192, 197, 220, 234, 235, 246, 254, 262, 284, 285, 286, 296, 302, 311, 312

Jury List.

City Document No. 40, placed on file, 76

order to write names and to place in ballot box, passed, 76

Kane (Francis J.) Square.

order for transfer to the custody of the park department, passed, 65

Kay, Harry H.

notice of appointment as member of Boston conservation bureau, placed on file, 242; approved by civil service commission, placed on file, 265

Kellen, William V.

resignation as art commissioner received and accepted, placed on file, 125

Kelley, John H. and Mary.

order for acceptance of act to pay to, passed, 164; order for payment of \$15 per week to, passed, 164

Kelley, John Joseph.

resolution favoring legislation for payment of money to parents of, passed, 129

Kelley, John W. (See Pensions.)**Kelly, James.**

resolution favoring legislation for the re-employment of, referred to the executive committee, 46—report accepted, order passed, 47; resolution favoring legislation for reinstatement in the institutions department, passed, 318

Kelly, Parents of John Joseph.

resolution favoring legislation to pay to, passed, 10

Kelly, Richard J.

resolution favoring reinstatement, passed, 7—vetoed, 17

Kelly, Timothy W.

notice of appointment as soldiers' relief commissioner, placed on file, 140

Kelly (William J.) Square. (*See* Squares, Naming and Renaming.)

Keyes (William J.) Square. (*See* Squares, Naming and Renaming.)

Ku Klux Klan.

preambles and resolution regarding suppression of, 220-passed, 221

Lafayette Mall, Boston Common. (*See* Park Department.)

Lally (William J.) Square. (*See* Squares, Naming and Renaming.)

Land Title, Bath Street. (*See* Purchase of Land, Bath Street.)

Lane, Daniel W., Councilor.

appointed; committees, 15, 219

orders and resolves:

itinerant vendors' licenses, 147
licenses for jitneys, 4
naming of Abbott (Edmund R.) sq., 259
printing of document, 27
proposed rescission of South Boston gymnasium order, 73
releases by city, 253
removal of temporary structure on the common, 218

remarks:

adjournment, 148
building line, Province st., 184
completion of strandway, 28
loan for Christopher J. Lee playground, 83
Province st., 168
releases by city, 253
removal of temporary structure on the common, 218

Law Department.

corporation counsel: E. Mark Sullivan, appointed, placed on file, 7-approved by civil service commission, 44

additional appropriation: message transmitting order for, 155, 156-referred to the executive committee, 156-report accepted, order passed, 168

Lawn Street, Ward 14.

sidewalks: order for construction, passed, 133

Leather, Measurers of.

KAPLAN, DAVID: appointed, 99, 154-confirmed, 116, 169

Legality of Using Municipal Buildings.

order for information as to use by military and naval organizations passed, 271

Legislation Concerning the City of Boston.

approval of: order that legislation be submitted to the city council or to the voters, 299-passed, 301

Legislative.

house bills, Nos. 134 and 630, relating to public utilities, opposition to, referred to the executive committee, 36-report accepted, order passed, 37

Leonard, Henry P.

notice of appointment as member of board of examiners, placed on file, 64

Leonard, Mrs. Michael C.

see Annuities

Leonard Street, Ward 18.

sidewalks: order for construction, passed, 174

Leveroni, Frank.

notice of appointment as overseer of the public welfare, placed on file, 64-approved by the civil service commission, placed on file, 101

Lewis, Myron P.

notice of appointment as park commissioner, placed on file, 13-approved by civil service commission, 44

Library Department.

trustees: Arthur T. Connolly, appointed, 64; Guy W. Currier, appointed, 128-approved, 145

organization: Rev. Alexander Mann, D. D., president; Samuel Carr, vice-president; Della Jean Deery, clerk, placed on file, 121

branch library, Heath sq.; order to locate and maintain, passed, 299

Dante Alighieri branch: order to so name the North End branch library, passed, 163; petition from Louis Barrasso to so name, referred to the executive committee, 211-report accepted, petition referred to the library trustees, 214-communication from the library trustees, 230, 231-placed on file, 231

Licenses.

child performers:

BROWN, LILLIAN F.: petition, 121-granted, 122; petition, 288-granted, 294

BURNHAM, AMELIA: petition, 121-granted, 122; petition, 271-granted, 275

BUTLER, MARGARET J.: petition, 90-granted, 92

CAMPBELL, MARY, *et al.*: petition, 57-granted, 60

CLARK, S. J.: petition, 121-granted, 122

CONNELL, M. TERESA: petition, 112-granted, 113

COOPER, ANNETTE E.: petition, 121-granted, 122

CROWN OF GEORGE DEWEY LIBERTY LODGE: petition, 57-granted, 60

DOWD, MARY F.: petition, 145-granted, 146

EDELBLUTE, MARY E.: petition, 128-granted, 133

EDWARDS, LOTTIE: petition, 278-granted, 280

ELIZABETH PEABODY HOUSE CORPORATION (2): petition, 96-granted, 97

FERGUSON, NELLIE: petition, 96-granted, 97

FETZER, HENRIETTA: petition, 57-granted, 60

FINARD, NORMAN: petition, 257-granted, 260

GOODMAN, GERTRUDE A.: petition, 6-granted, 11; petitions, 128 (2)-granted, 133

HANCOCK, FRANK R.: petition, 202-granted, 206

HARVEY, PAULINE MARKS: petition, 69-granted, 71

HAWKINS, ETHEL F.: petition, 57-granted, 60

HOGLE, IMOGENE PHIPPS: petition, 278-granted, 280

HURLEY, REV. JOSEPH R.: petition, 128-granted, 133

KEARNEY, LILLIAN: petition, 90-granted, 92

KIRBY, MARY RITA: petition, 112-granted, 113

LYMAN, MABEL: petition, 44-granted, 47; petition, 112-granted, 113

LYMAN, MADAME MAYBELLE: petition, 271-granted, 274, 275

MANNINO, JOHN P.: petition, 128-granted, 133

MARA, CECILE A.: petition, 96-granted, 97

MARDEN, Mrs. G. M.: petition, 112-granted, 113; petition, 304-granted, 306

MASON, CECILE A.: petition, 323-granted, 325

McSHANE, RUTH M.: petition, 57-granted, 60

MELLOR, JACQUELINE: petition, 112-granted, 113

MURPHY, GERTRUDE: petition, 76-granted, 80

NEW ENGLAND DAIRY AND FOOD COUNCIL: petition, 278-granted, 280

PAPOBELLO, MARIA: petition, 50-granted, 51

RAWSON, AMY T.: petition, 128-granted, 133

REARDON, MARIE AGNES: petition, 63-granted, 66

RICHARDS, J. J.: petition, 96-granted, 97

RICHARDSON, DOROTHY R.: petition, 69-granted, 71

ROCHE, HELEN M.: petition, 121-granted, 122

Licenses, *continued.*

SHERIDAN, MURIEL T.: petition, 121-granted, 122
 STALEY, D. M., PRESIDENT: petition, 112-granted, 113
 SWAN, MARY: petition, 63-granted, 66
 TRAINOR, JENNIE MAY: petition, 63-granted, 66
 TUNNICLIFFE, EMMA G.: petition, 13-granted, 14
 WHITING, W. R.: petition, 63-granted, 66
newsboys: granted, 6, 24, 44, 57, 72, 91, 102, 122, 129, 163, 183, 293, 304, 318
vendors: granted, 6, 24, 44, 57, 72, 91, 102, 122, 129, 163, 183, 293

Licenses for Lodging Houses.

message with order for annual fee of \$2, referred to the executive committee, 67-report accepted, order passed, 71

Lighting Streets. (*See Public Works Department.*)

Linden Street, West Roxbury.

order to lay out as a public way, 92

Liquid Measures, Gauger of.

WEST, HERBERT T.: appointed, 154-confirmed, 169

Liquids, Gauger of.

WHITE, LOUIS F.: appointed, 138-confirmed, 147

Listing Board.

members: Melancthon W. Burlen, appointed, 63; James A. Dorsey, appointed, 101

Loans.

Baldwin pl. playground: *see* Park Department
Beacon st. bridge: *see* Public Works Department
Cambridge st. bridge: *see* Public Works Department
Columbus park: *see* Park Department
fuel supply: *see* fuel supply
Gibson st. playground: *see* Park Department
gymnasium, South Boston: *see* Park Department
highways, making of: *see* Public Works Department
highways, making of: *see* Street Laying-Out Department
municipal building and gymnasium, Ward 23: *see* Public Buildings Department
playgrounds: *see* Park Department
police station, No. 2: *see* Police Department
sewerage: *see* Public Works Department
temporary loan: order providing for, referred to the executive committee, 62-report accepted, order passed, 66-given final reading and passed, 84

Longfellow Bridge.

order as to the advisability of changing name of West Boston Bridge to, referred to the executive committee, 27-report accepted, order passed, 33

Longfellow Street, No. 37, Ward 18.

sidewalk: order for construction, passed, 202

Lynn Street.

notice that Lynn st., from Thacher st. to Cooper st., is a one-way street, placed on file, 318

Lyons (Herbert) Square. (*See Squares, Naming and Renaming.*)

Lyons, Dr. Joseph B.

resignation as overseer of the public welfare, received and accepted, placed on file, 125

MacSwain, David R.

notice of appointment as inspector in the health department, placed on file, 145

Magee, William J.

resolution favoring legislation to reimburse, passed, 113-vetoed, placed on file, 125

Mahoney (Cornelius T.) Square. (*See Squares, Naming and Renaming.*)

Mahoney, Francis X., M. D.

appointed health commissioner, placed on file, 7-approved by civil service commission, 24

Mahoney, John E.

appointed building commissioner, placed on file, 101-approved by civil service commission, placed on file, 121

Main Street, Ward 3.

sidewalks: order for construction, passed, 122

Malcolm Street.

notice of change of name to Cedarlane way, placed on file, 44

Maloney, Mrs. Alice M.

notice of appointment as member of Boston conservation bureau, placed on file, 242-approved by civil service commission, 265

Maney, Maurice H.

notice of appointment as building commissioner, placed on file, 70

Mann, Rev. Alexander, D. D.

notice of appointment as president of library trustees, placed on file, 121

Manning, Joseph P.

notice of resignation as acting fire commissioner, placed on file, 63; notice of appointment as president of city hospital trustees, placed on file, 102

Marine Park Land. (*See Park Department.*)

Maritime Association Report.

message submitting reports, referred to the executive committee, 100

Market Department.

superintendent: message with draft of ordinance regarding salary, referred to the committee on ordinances, 57-report accepted, ordinance passed, 60; Patrick H. Graham, appointed, 63-approved by civil service commission, placed on file, 101

Faneuil Hall and Quincy Markets: communication transmitting order to keep open on June 16, 1922, until nine o'clock p. m. and to close on Saturday, June 17, 1922, referred to the executive committee, 96-report accepted, order passed, 97

Market Street, Ward 26.

sidewalk schedule: passed, 161

Marsh, Ward A.

notice of appointment as assistant assessor, placed on file, 35

Martin, John J.

notice of appointment as deputy sealer of weights and measures, placed on file, 44

Maverick Square.

petition of John J. Hayes *et al.*, to change name to Grady sq., 288—report with order, report accepted, order passed, 306—vetoed, 313, 314

Mayor, The.

inauguration: page 1

oath of office administered: Hon. James M. Curley, mayor, page 1

appointments:

BALFE, JAMES P.: appointed statistics trustee, 160, 195
 BALL, THOMAS J.: appointed budget commissioner, 63
 BARRY, JOHN J.: appointed trustee of Boston sanatorium, 63
 BIGELOW, HENRY FORBES: appointed art commissioner, 91
 BILLINGS, EDMUND: notice of resignation as transit commissioner, 50
 BLACKALL, CLARENCE H.: appointed schoolhouse commissioner, 195
 BURLEN, MELANCTHON W.: appointed member of listing board, 63
 CARVEN, RUPERT S.: appointed city auditor, 7; notice of resignation as budget commissioner, placed on file, 44; appointed temporary budget commissioner, 44
 CASEY, WILLIAM J.: appointed institutions commissioner, 7—notice of withdrawal, 35; appointed superintendent of printing, 35; appointed temporary superintendent of supplies, 44; appointed temporary fire commissioner, 63
 CONNOLLY, ARTHUR T.: appointed library trustee, 64
 CRENEY, WILLIAM A.: appointed assistant assessor, 35
 CRONIN, GEORGE J.: notice of resignation as superintendent of supplies, placed on file, 44
 CROSBY, FREDERIC J.: appointed sinking funds commissioner, 64, 195
 CROTTY, JOSEPH J.: appointed member of board of appeal, 64
 CUMMINGS, MATTHEW: appointed sinking funds commissioner, 64
 CURLEY, JOHN J.: appointed city treasurer, 7; appointed temporary city collector, 70
 CURRIER, GUY W.: appointed library trustee, 128
 DAILEY, JOHN J.: appointed assistant assessor, 35
 DEBELLIS, BENEDICT V.: appointed statistics trustee, 64
 DELAND, FRANK S.: notice of resignation as city treasurer, placed on file, 44
 DOLAN, EDMUND L.: appointed city collector, 7
 DOLAN, THOMAS C.: appointed schoolhouse commissioner, 64, 112
 DONOVAN, PETER A.: appointed director of the collateral loan company, 138
 DORSEY, JAMES A.: appointed on listing board, 101
 DOUGLAS, GEORGE A.: appointed member of board of examiners, 128
 DOYLE, WILFRED J.: appointed member of the retirement board, 217
 DRISCOLL, DENNIS D.: appointed deputy commissioner of institutions, 13
 DUNN, GEN. JOHN H.: appointed soldiers' relief commissioner, 211
 DUNN, JOHN H.: notice of appointment as temporary superintendent of printing, 7; notice of appointment as temporary schoolhouse commissioner, 7; appointed temporary assessor, 24; appointed temporary soldiers' relief commissioner, 140, 231
 EAGAN, JAMES F.: appointed election commissioner, 128
 FEENEY, JOSEPH F.: appointed overseer of the public welfare, 121
 FINIGAN, FREN A.: appointed election commissioner, 70
 FISH, WILLIAM A.: appointed board of examiners, 160
 FITZPATRICK, JAMES H.: appointed member of board of appeal, 128
 FLATTERY, M. DOUGLAS: appointed member of Boston conservation bureau, 242
 FOX, CHARLES J.: appointed budget commissioner, 101; appointed temporary soldiers' relief commissioner, 174
 GLYNN, THEODORE A.: appointed fire commissioner, 167
 GLYNN, THOMAS P.: appointed schoolhouse commissioner, 7, 96
 GOGGIN, THOMAS E.: appointed election commissioner, 63
 GOOKIN, MARGARET J.: appointed overseer of the public welfare, 64
 GRAHAM, PATRICK H.: appointed superintendent of markets, 63
 GUTERMAN, HARRY N.: appointed member of Boston conservation bureau, 242
 HAYES, JOHN M.: appointed deputy assessor, 305

Mayor, The, continued.

HICKEY, JOHN F.: appointed member of board of examiners, 195
 HOLLAND, NEAL J.: appointed assessor, 24, 63
 HURLEY, MRS. JEREMIAH J.: appointed overseer of the public welfare, 64
 JOHNSON, DR. DAVID J.: appointed institutions commissioner, 35, 63
 JOHNSON, JOHN H.: appointed member of Boston conservation bureau, 242
 KAY, HARRY H.: appointed member of Boston conservation bureau, 242
 KELLY, TIMOTHY W.: appointed soldiers' relief commissioner, 140
 LEONARD, HENRY P.: appointed member of board of examiners, 64
 LEVERONI, FRANK: appointed overseer of the public welfare, 64
 LEWIS, MYRON P.: appointed park commissioner, 13
 MAHONEY, FRANCIS X., M. D.: appointed health commissioner, 7
 MAHONEY, JOHN E.: appointed building commissioner, 101
 MALONEY, MRS. ALICE M.: appointed member of Boston conservation bureau, 242
 MANEY, MAURICE H.: appointed building commissioner, 70
 MANNING, JOSEPH P.: notice of resignation as acting fire commissioner, 63
 MARSH, WARD A.: appointed assistant assessor, 35
 MARTIN, JOHN J.: appointed deputy sealer of weights and measures, 44
 McDONOUGH, JOHN S.: appointed assistant assessor, 35
 McELANEY, JAMES A.: appointed member of board of appeal, 112
 MCGLENN, EDWARD W.: appointed city registrar, 63
 McGRATH, EDWARD E.: appointed transit commissioner, 51; appointed temporary deputy assessor, 57
 McLAUGHLIN, FRANCIS A.: appointed election commissioner, 44
 McMANUS, EDWARD J.: appointed deputy sealer of weights and measures, 63
 McMORROW, WILLIAM M.: appointed city collector, 63
 MORAGAN, JOHN J.: appointed member of Boston conservation bureau, 242
 NOYES, JOHN H. L.: appointed soldiers' relief commissioner, 195; appointed street commissioner, 231
 O'BRIEN, DR. JOHN F.: notice of appointment as temporary health commissioner, 6; notice of appointment as temporary institutions commissioner, 7
 O'HARA, JOHN J.: appointed superintendent of printing, 7
 O'MALLEY, JOSEPH G.: appointed assessor, 13
 PALMER, DR. SARAH E.: appointed member of Boston conservation bureau, 242
 PARKE, F. V. B.: notice of resignation as city collector, 70
 PARKER, JOHN HARLESTON: appointed art commissioner, 128
 PEABODY, FRANCIS: appointed statistics trustee, 64
 REIDY, MICHAEL J.: appointed street commissioner, 298
 RIPLEY, HUBERT J.: appointed member of board of appeal, 195
 ROCK, FRANK P.: appointed superintendent of supplies, 24
 ROURKE, JOSEPH A.: appointed commissioner of public works, 7; appointed temporary transit commissioner, 63
 ROURKE, LOUIS K.: appointed transit commissioner, 63
 ROWEN HENRY S.: appointed city hospital trustee, 64
 SEIBERLICH, FRANK: appointed election commissioner, 128
 SHEA, JAMES B.: appointed park commissioner, 64; appointed chairman of park commission, 96
 SHEEHAN, FREDERICK M. J.: appointed director of the Workingmen's Loan Association, 138
 SLATTERY, MRS. FRANCIS E.: appointed member of Boston conservation bureau, 242
 SLATTERY, FRANCIS E.: appointed transit commissioner, 51, 63
 STONE, JAMES H.: appointed overseer of the public welfare, 64
 SULLIVAN, E. MARK: appointed corporation counsel, 7; appointed temporary building commissioner, 70
 SULLIVAN, THOMAS F.: notice of resignation as commissioner of public works, placed on file, 44; appointed transit commissioner, 63; appointed temporary transit commissioner, 63; appointed chairman of transit commission, 70
 WARD, MICHAEL J.: appointed soldiers' relief commissioner, 160, 167
 WALSH, JOHN J.: appointed member of city planning board, 64
 WARREN, CHARLES H.: appointed assistant assessor, 35
 WEEKS, A. S. PANKER: appointed assistant assessor, 35
 WHITE, MRS. EVA W.: appointed member of Boston conservation bureau, 242
 WILSON, HERBERT A.: notice of resignation as building commissioner, 70

removals:

DAILEY, EDWARD B., assessor, 24

Mayor, The, *continued.*

resignations: accepted,

DOANE, RALPH HARRINGTON: schoolhouse commissioner, 6
 KELLEN, WILLIAM V.: resigned as art commissioner, 125

LYONS, JOSEPH B.: resigned as overseer of the public welfare, 125

McCONNELL, JAMES E.: park commissioner, 6

McKENNA, HENRY C.: resigned as soldiers' relief commissioner, 125,

O'BRIEN, THOMAS C.: institutions commissioner, 6

CONSTABLES: 3, 6, 12, 16, 34, 40, 49, 56, 62, 75, 86, 95, 99, 125, 143, 165, 170, 182, 216, 229, 268, 286, 297, 304

MINORS: 6, 34, 56, 67, 75, 86, 95, 99, 110, 125, 138, 143, 154, 170, 182, 193, 197, 209, 216, 227, 257, 262, 268, 286, 304, 307, 312

JURORS DRAWN: 12, 39, 40, 49, 80, 85, 86, 119, 124, 142, 149, 154, 182, 191, 192, 197, 220, 234, 235, 246, 254, 262, 284, 285, 286, 296, 302, 311, 312

messages and communications;

acceptance of Baxter bequest, 157
 acceptance of George R. White bequest, 42, 43
 acquisition of Elks' Hospital, Parker Hill, 287, 288
 additional appropriations, 155, 156, 157, 158
 alarm bell, East st., 96
 appropriation bill, 21, 22, 23, 88, 89, 90
 appropriation for committee on unemployment, 13
 appropriation for East Boston tunnel debt, 3
 appropriation for highways, making of, 41
 appropriation for public welfare, 151, 152
 appropriation for two departments, 87
 appropriation for water income, 126
 appropriation, rent and housing committee, 87, 158
 appropriations for playgrounds, 56
 ball field, Olmsted pk., 87
 bathing beach, Charles river basin, 138
 bleacher seats, Sullivan sq., 127
 Boston conservation bureau, 236
 Boston retirement act, 236
 building line on Province st., 153
 city plan for Boston, 225
City Record, 307, 308
 closing of passageway, chamber of commerce building, 3
 coal supply for Boston, 201, 202
 commercial, industrial and publicity bureau, 12
 compensation for election supervisors, 286, 287
 completion of bridge, Allston, 270
 completion of Columbus park, 21
 completion of strauway, 28
 comprehensive city plan, 19, 20, 21
 condition of Beacon st. bridge, 42
 condition of Cambridge st. bridge, 42
 conservation of health, 201
 continuance of rent and housing committee, 23
 cost of laying out Museum sq., 127
 cost of viaduct across Boston and Albany Railroad, 100, 101
 department transfers, 144, 152, 153, 157, 158, 159, 165, 170, 182, 193, 194, 201 (2), 202, 209, 210, 216, 217, 225, 226, 227, 229 (2), 230, 235, 236, 237, 255, 256, 257, 262, 263, 264, 268, 269, 277
 deputy commissioner of public works, 49, 50
 employment of citizens, 50
 exchange in rights of land, Marine Park, 99, 100
 extension of high pressure system, 201
 extension of rent and housing committee, 255
 fens improvements, 62
 filling of Carroll's pond, 126
 fuel oil equipment, City Hall Annex, etc., 120
 granolithic construction, Lafayette mall, 154
 granting of street railway locations, 307
 history of Boston's first century, 34
 hours of registration, 152
 ice for drinking fountains, 100
 improvement of Charlesgate gymnasium, 154
 improvement of Chelsea st., 150
 income from water service, 155
 increased cost of two-platoon system, 317
 information as to Cambridge st., widening, 312, 313
 investigation of Edison Electric Illuminating Company, 41, 42, 138
 land title, Bath st., 264, 268
 law concerning garages, 119, 120
 laying out of streets, 119
 licensing lodging houses, 67
 loan for playground, Baldwin pl., 67
 loan for sewerage work, 24
 maintenance of bridges, 238
 Marine park land, 68, 69
 Maritime association report, 100
 markets to keep open on June 16, 96
 money for fuel supply, 216
 money for high service main, 144
 money for police station, No. 2, 264
 money for register of deeds, 216
 money for station 2 building, 136, 137

Mayor, The, *continued*

motor ambulances, 170
 municipal building, Brighton, 12, 49
 municipal building, Ward 21, 23
 muzzling of dogs, 159
 New England differential situation, 225
 opinion on street railway locations, 287
 ordinance concerning transit commission, 41
 ordinance for park department restrictions, 166, 167
 Parkman fund appropriations, 277
 Parkman fund expenditures, 125
 pension for Joseph D. Sullivan, 287
 pension status of Spanish War veterans, 227
 playground, East Cottage st., 41
 presentation to President David J. Brickley of the insignia of the Army and Navy Legion of Valor, 121
 purchase of city land, 56
 purchase of city land, West Roxbury, 111
 purchase of land, Bath st., 150, 151, 156
 purchase of steamer, 197
 reimbursement of judgment against Francis P. Donohue, 297
 release of city land, North End, 111
 release of city's rights, Gately st., 86
 removal of restrictions, South End, 149, 150
 report of overseers of public welfare, 95
 rescission of gymnasium order, South Boston, 56, 57
 resurfacing Back Bay Fens, 155
 riverway improvements, 75
 sale of amusement tickets by speculators, 265
 sale of city land, Hyde Park, 170, 171
 sale of fire department material, 304
 sale of old materials, 100
 sale of pigs, 126, 127, 171
 sale of steamer "Monitor," 307
 sale of wooden house, Hyde Park, 112, 139, 155
 salary of superintendent of markets, 57
 sale of fire house, South Boston, 23, 24
 secretary of statistics department, 225
 semi-monthly payment, soldiers' relief, 86, 87
 settlement of Atlas Company claims, 198
 sidewalks, Nixon st., 275
 soldiers' relief commissioner's salary, 261, 265
 suits of national banks, 67
 taking of land, Bath st., 297
 temporary loan, 62
 temporary structure on Boston Common, 229
 transfer for fire anniversary, 255
 transfer for Jamaicaaway, improvements, 256
 transfer for municipal building, 155
 transfer for public buildings, 126
 transfer of Avenue Louis Pasteur, 237
 transfer of building, Kane sq., 127
 transfer of "Wilson park," 40
 transfers of lands, 182
 transfers from Parkman fund, 229, 230
 transfers from reserve fund, 138, 144, 152 (2), 165, 166, 255, 270, 297
 Walter Scott medals, 139
 water main, Cottage rd., 143
 welcome to United States soldiers, 101
 White fund expenses, 127

veto:
 annuity for Mrs. Anthony Fitzpatrick, 313
 Brittain sq., 86
 changing name of Maverick sq., 313, 314
 Christopher J. Lee playground improvements, 75
 city employees pay during illness, 277
 increase in pension of Warren J. Stokes, 17, 18
 legislation concerning William J. Magee, 125
 motor busses, East Boston, 254
 naming of Burke and Mulhern sqs., 40
 naming of Flynn (James J.) sq., 95
 naming of Queenan (Agnes) sq., 95
 naming of Tryder (William A.) sq., 95
 payment to John M. Chmielinski, 313
 payment to Mrs. Lawrence Flanagan, 16, 17
 payment to Mrs. Maurice O'Brien, 86
 payment to Mrs. Walker A. Smith, 18
 playground appropriation, Mattapan, 40
 refusal of permit to Charlestown Storage and Warehouse Company, 111
 reinstatement of Francis L. Amanu, 313
 reinstatement of Thomas R. Brophy, 16
 reinstatement of John J. Carey, 34
 reinstatement of Fred L. Carroll, 62, 313
 reinstatement of Joseph V. Cummings, 313
 reinstatement of John J. Dolan, 16
 reinstatement of Thomas J. Gavin, 95
 reinstatement of James H. Hanley, 313
 reinstatement of Richard J. Kelly, 17
 reinstatement of Joseph W. Murray, 110
 reinstatement of Michael W. O'Meara, 110
 reinstatement of Philip J. Powers, 17
 retirement of Owen McDermott, 125
 sidewalks on Newburg st., 75
 to reimburse D. Doherty Co., 18, 19
 transient vendor's licenses, 254

Mayor's Office.

department transfers: order for, referred to the executive committee, 201—report accepted, order passed, 207

McConnell, James E.

resignation as park commissioner, accepted, placed on file, 6

McCue, Thomas Joseph.

petition for a license to run a jitney, 121

McDermott, Owen. (See Pensions.)**McDonough, John S.**

notice of appointment as assistant assessor, placed on file, 35

McElaney, James A.

notice of appointment as member of board of appeal, placed on file, 112—confirmed by civil service commission, placed on file, 128

McGill, Mother of Arthur B.

order to accept act for payment to, referred to the executive committee, 46—report accepted, order passed, 51; order to pay \$2,500 to, 70—passed, 71

McGlenen, Edward W.

notice of appointment as city registrar, placed on file, 63—confirmed by civil service commission, 76

McGrath, Edward E.

notice of appointment as first assistant assessor, placed on file, 51; notice of appointment as temporary deputy assessor, placed on file, 57

McIver (Gavin R.) Square. (See Squares, Naming and Renaming.)**McKenna, Henry C.**

resignation as soldiers' relief commissioner, received and accepted, placed on file, 125

McLaughlin, Francis A.

notice of appointment as election commissioner, placed on file, 44

McManus, Edward J.

notice of appointment as deputy scaler of weights and measures, placed on file, 63

McMorrow, William M.

notice of appointment as city collector, placed on file, 63—confirmed by civil service commission, 76

McNamara, (Edward) Square. (See Squares, Naming and Renaming.)**McShane, Lena.**

resolution approving legislation for payment to, passed, 97; order to accept act for payment to and order for payment of \$3,000, referred to the executive committee, 146—report with order for payment of \$2,500, report accepted, order passed, 163

Meagher, Michael F.

order for acceptance of act to pension, referred to the committee on county accounts, 121—report accepted, order passed, 135

Militia Enrollment. (See Assessing Department.)**Miller, Bessie, and Meserve, George W.**

petition that the city give them deeds of certain land, the original deeds having been lost, 210—order for release, read once and passed, 253; given final reading and passed, 260, 261

Minor Officers.

paid by fees: appointed, Document No. 51, 75—confirmed, 94

Minot, Dr. James J.

appointed secretary of the trustees of the Boston Sanatorium, placed on file, 128

Mitchell, J. Alfred.

resolution favoring legislation for payment of pension, passed, 305

Money for Streets and Sidewalks.

order recommending that the amounts appropriated for the next year be doubled, passed, 267

Moragan, John J.

notice of appointment as member of Boston conservation bureau, placed on file, 242—approved by civil service commission, placed on file, 265

Moriarty, James T., Councilor.

appointed; committees, 15

orders and resolves:

annuity for Mrs. Anthony Fitzpatrick, 305
annuity for Katherine Boodro, 318
committee on rules, 4
gymnasium, Ward 23, 38
increase of pension of Warren J. Stokes, 10
investigation of superior criminal court office, 169
legislation concerning firearms, 82
municipal building, Ward 21, 10
municipal register, 4
naming of boat, "Michael J. Perkins," 207
naming of Stern (Morris I.) sq., 92
payment to John M. Chmielinski, 308
payment to father of Robert L. Sheehan, 82
payment to Michael Sheehan, 97
pension for Minnie O. Duntor, 10
proposed rescission of South Boston gymnasium order, 72, 73
protest against discrimination at Harvard, 129
re-employment of James Kelly, 46
reimbursement of William J. Magee, 113
reinstatement of Francis L. Amann, 305
reinstatement of James Kelly, 318
reinstatement of Michael O'Meara, 305
semi-monthly payments, soldiers' relief, 66
sidewalks, Main st. and Mystic ave., 122
special election, Ward 10, 4
ticket speculation on theater premises, 249
water main, Cottage rd., 113

remarks:

action on constables, 93, 94
approval of appointments, 280, 281, 282
building line, Province st., 187, 188
compensation to Louise McGill, 70, 71
completion of strandway, 29, 30, 31, 32
confirmation of constables, 242, 243
convenience station, East Boston, 52, 53
constables' appointments, 107, 108, 109, 117
criticism of newspaper reporter, 309
equipment of buildings for veterans, 106
erection and completion of station No. 2, 148
motion picture censorship, 243, 245
naming of boat, "Michael J. Perkins," 207, 208
possible appropriation for police band, 221, 222, 223
protest against discrimination at Harvard, 129, 130, 131, 132
retirement system, 175, 176, 177, 178
sale of city land, West Roxbury, 122
settlement of Atlas Company claims, 199, 200
ticket speculation on theater premises, 249
transfers to House of Correction, 275, 276

Motion Picture Censorship.

resolution opposing the passage of the referendum, 243—referred to the executive committee, 245—recalled and new resolution passed, 253

Motorizing Ambulances. (*See* Public Buildings Department.)

Mt. Lebanon Cemetery Association.

petition to use land on Baker st. for burial purposes, 112—report with order, report accepted, order passed, 134—vetoed, 144; petition to use land on Baker st. for burial purposes, 171

Mt. Pleasant Avenue, Ward 12.

sidewalks: orders for construction, passed, 147

Mulhern (William J.) Square. (*See* Squares, Naming and Renaming.)

Mullen, Martin F.

resolution favoring legislation for reinstatement in the police department, passed, 315

Municipal Buildings. (*See* Public Buildings Department.)

Municipal Courts. (*See* County of Suffolk, County Accounts.)

Municipal Employment Bureau.

order to establish, passed, 4

Municipal Lighting Plant.

appropriation:

order to request an order recommending an appropriation of \$5,000, 7—referred to the executive committee, 10—report accepted, order passed, 11

municipal ownership:

order to consider providing for municipal ownership, passed, 4

Municipal Register, etc., for 1922.

order to prepare and print, passed, 4

Murphy, James M.

notice of appointment as inspector in the health department, placed on file, 145

Murray, Joseph W.

resolution favoring reinstatement, passed, 91—vetoed, 110

Museum Square.

order for estimate of cost of laying out, passed, 97; message transmitting estimate, placed on file, 127

Muzzling of Dogs. (*See* Health Department.)

Mystic Avenue, Ward 3.

sidewalks: order for construction, passed, 122

Naming of Boat, "Michael J. Perkins."

order to so name, when purchased, 207—passed, 208

Navy Yard, Closing of.

preambles and resolve regarding, 64—passed, 65

Necessaries of Life, Commission on.

preambles and resolves regarding the term of, 81—passed, 82

Neponset Avenue, Ward 20.

sidewalks: order for construction, passed, 123

New City Hall. (*See* Public Buildings Department.)

Newburg Street, Ward 23.

sidewalks: order for construction, passed, 60—vetoed, 75

New England Differential Situation.

message with order for appropriation of \$2,500 to be charged to the reserve fund, referred to the executive committee, 225—report accepted, order passed, 227

New York, New Haven & Hartford Railroad Company.

unclaimed baggage: petition to sell, 217—report with order to sell, report accepted, order passed, 218

Nixon Street, Dorchester.

sidewalks; order for construction, passed, 266—message transmitting communication concerning, placed on file, 278

Northampton Street, Ward 12.

sidewalks: orders for construction, passed, 147

Norumbega Women's Club.

petition that roller skating on sidewalks be prohibited, 57

Noyes, John H. L.

notice of appointment as soldiers' relief commissioner, placed on file, 195; appointed street commissioner, placed on file, 231—approved by civil service commission, placed on file, 246

Oak Avenue, Dorchester.

order to lay out as a public way, 92

O'Brien, Dr. John F.

notice of appointment as temporary health commissioner, placed on file, 6; notice of appointment as temporary institutions commissioner, placed on file, 7; appointed chairman of the trustees of the Boston Sanatorium, placed on file, 128

O'Brien, Mrs. Ellen.

order for payment of \$1,500 to, passed, 97

O'Brien, Mrs. Maurice.

order for payment of \$2,500, to be charged to the reserve fund, 59—report accepted, order passed, 66—vetoed, referred to the executive committee, 86—report accepted, placed on file, 92

O'Brien, Thomas C.

resignation as institutions commissioner accepted, placed on file, 6

O'Donnell (Alexander) Square. (*See* Squares, Naming and Renaming.)

O'Hara, John J.

appointed superintendent of printing, placed on file, 7

Old Armory Hall, East Boston. (*See* Public Buildings Department.)

Olmsted Park. (See Park Department.)**O'Malley, Joseph G.**

notice of appointment as assessor, placed on file, 13—approved by civil service commission, 44

O'Meara, Michael N.

order favoring legislation for the reinstatement of, passed, 97—vetoed, 110; resolution favoring legislation for reinstatement in the fire department, passed, 305

One Way Street. (See Lynn Street.)**Orchard Street, Ward 22.**

sidewalks: schedule of cost with order to assess and collect, passed, 91

Ordinances.

Avenue Louis Pasteur: order to place under control of the park department, 237, 238—referred to the committee on ordinances, 238—report accepted, ordinance passed, 249

Boston conservation bureau: message transmitting draft of ordinance to establish, referred to the committee on ordinances, 201

bridges: message transmitting communication and draft of ordinance for transfer of the custody of certain bridges from the park department to the public works department, referred to the committee on ordinances, 238—report accepted, ordinance rejected, 249

"City Record:" message with draft of amendment, 307, 308—referred to the executive committee, 308—report accepted, ordinance passed, 309

contracts made by the city: message with draft of ordinance, referred to the committee on ordinances, 50—report accepted, ordinance rejected, 60

deputy commissioner, public works department: message with draft of ordinance, 49, 50—referred to the committee on ordinances, 50—report accepted, ordinance passed, 60

health: draft of ordinance, referred to the committee on ordinances, 301

itinerant vendors' licenses: draft of ordinance, referred to the committee on ordinances, 147—report with draft of ordinance 249, 250—passed, 253—vetoed, 254

park department: message with communication and draft of ordinance, 166, 167—referred to the committee on ordinances, 167—report accepted, ordinance passed, 214, 215

salary of soldiers' relief commissioner: message with draft of ordinance, 264, 265—referred to the committee on ordinances, 265

salary of superintendent of markets: message with draft of ordinance, referred to the committee on ordinances, 57—report accepted, ordinance passed, 60

secretary of statistics department: message with draft of amendment to ordinance, referred to the committee on ordinances, 225—report accepted, order passed, 242

shutting off water: draft of amendment to ordinance, referred to the committee on ordinances, 293—recalled and new amendment substituted, passed, 306

soliciting in the streets: draft of ordinance, referred to the committee on ordinances, 59—report accepted, ordinance rejected, 66

transit commission: message with draft of ordinance, referred to the committee on ordinances, 41—report accepted, ordinance passed, 48

two-platoon system: draft of ordinance, referred to the executive committee, 305—report accepted, ordinance passed, 322

O'Sullivan, Daniel J.

resolution favoring legislation for reinstatement, referred to the executive committee, 46—report accepted, order passed, 47

Overseeing of the Public Welfare Department.

members of the board: Margaret J. Gookin, appointed, 64; Mrs. Jeremiah J. Hurley, appointed, 64—approved by civil service commission, 101; Frank Leveroni, appointed, 64—approved by the civil service commission, placed on file, 101; James H. Stone, appointed, 64; Joseph F. Feeny, appointed, 121—approved, 145; Dr. Joseph B. Lyons, resigned, 125

amount of relief: order regarding amount given by the Family Welfare Society, 76—passed, 80—message with report, placed on file, 95

Overseeing of the Public Welfare Department, continued.

appropriations: order for \$975,000, referred to the committee on appropriations, 87—report accepted, order passed, 92; order for \$200,000, 151, 152—referred to the executive committee, 152—report accepted, order passed, 153

Palmer, Dr. Sarah E.

notice of appointment as member of Boston conservation bureau, placed on file 242—approved by civil service commission, placed on file, 265

Park Department.

commissioners: Myron P. Lewis, appointed, placed on file, 13—approved by civil service commission, 44; James B. Shea, appointed, 64—approved by civil service commission, 76

organization: James B. Shea, appointed chairman, 96, 112; Daniel J. Byrne, appointed secretary, 112

Arnold Arboretum and Franklin Park: message with communication and order for appropriation of \$16,000 from the Parkman fund, 125, 126—referred to the committee on Parkman fund, 126—report accepted, order passed, 140

Avenue Louis Pasteur: message transmitting communications and draft of ordinance for transfer from the public works department, 237, 238—referred to the committee on ordinances, 238—report accepted, ordinance passed, 249

bath house, Jeffries Point: order requesting loan order for land and building, referred to the committee on finance, 46

bathing beach, Brighton: order regarding location, passed, 46—message, submitting communication, placed on file, 138

bathing facilities, East Boston: order for providing, referred to the executive committee, 37

bridges: message transmitting communication and draft of ordinance for transfer of the custody of certain bridges to the public works department, referred to the committee on ordinances, 238—report accepted, ordinance rejected, 249

Carroll pond: message transmitting communication and order for transfer of \$5,000 from the reserve fund for filling, referred to the executive committee, 126—report accepted, order passed, 133

cemetery division: order to arrange for extension of the Spanish war veterans' plot at Mt. Hope cemetery, passed, 195

Charlesbank gymnasium: message with communication and order for appropriation of \$10,000 from the Parkman fund, referred to the committee on Parkman fund, 154—report accepted, order passed, 168

Columbus park: message with order for loan of \$750,000, referred to the executive committee, 21—given first reading and passed, 37—given second reading and passed, 55

Common: order for removal of temporary structure near Park st., passed, 218—message transmitting communication, placed on file, 229

Common and parks: message transmitting communication and order for transfer of \$27,530.01 from the Parkman fund, 277, 278—referred to the committee on Parkman fund, 278—report accepted, order passed, 280

convenience station, East Boston: order relative to installing, 51—passed, 53

drinking fountains: order to install on Boston Common, passed, 195

fens: message transmitting communication and order for appropriation of \$50,000 from the income of the Parkman fund, for improvements, referred to the committee on Parkman fund, 62—report accepted, order passed, 66; message transmitting communication and order for appropriation of \$25,000, referred to the committee on Parkman fund, 155—report accepted, order passed, 168

Franklin park: message with communication and order for transfer of \$28,000 from the Parkman fund, 229, 230—referred to the committee on Parkman fund, 230—report accepted, order passed, 233

gymnasium, South Boston: orders for rescission of loan orders for \$150,000 and \$118,000, referred to the committee on finance, 28—report accepted, order rejected, 37; message with orders for rescission of loan orders for \$150,000 and \$118,000, 57, 58—referred to the committee on finance, 58—report submitted, laid on table, 72—given final reading and passed, 83

Kane (Francis J.) sq.: order for transfer to the custody of the park department, passed, 65

Lafayette mail, Boston Common: message with communication and order for appropriation of \$2,800 from the Parkman fund, referred to the committee on Parkman fund, 154—report accepted, order passed, 168

Park Department, continued.

loans for playgrounds: message transmitting order for loans amounting to \$275,000, referred to the committee on finance, 56—report with new order for loan of \$200,000, report accepted, order passed, 66—given final reading and passed, 84

marine park land: message transmitting preambles and order authorizing an exchange of rights, 68, 69—referred to the executive committee, 69; report accepted, preambles and order rejected, 92; message transmitting preambles and order for exchange in rights of land, 99, 100—referred to the executive committee, 100—report accepted, given first reading and passed, 122—given final reading and passed, 135, 136

Olmsted park: order to improve passed, 59—message transmitting communication, placed on file, 87

ordinance: message and communication with draft of ordinance, 166 167—referred to the committee on ordinances, 167—report accepted, ordinance passed, 214, 215

playgrounds:

ALLSTON PLAYGROUND: order that name be changed to Ringer (Stanley A.) playground, passed, 14

BALWIN PLACE: message with order for loan of \$70,000, referred to the committee on finance, 67—report accepted, 134; order rejected, 135; order for loan of \$70,000, given first reading and passed, 169—given final reading and passed, 189

CHRISTOPHER J. LEE PLAYGROUND: motion to recall order for \$100,000, for the extension and improvement of the M st. playground, motion lost, 38; report on order for loan of \$100,000, report accepted, order passed, 46—given final reading and passed, 61; vetoed, 75; order for loan of \$75,000 for improvements, 83—given first reading and passed, 84—given final reading and passed, 98

COTTAGE ST. PLAYGROUND: order to provide bleachers and shower baths, passed, 133

EAST COTTAGE STREET: message with communication, placed on file, 41

FOREST HILLS: order for estimate of cost and location, passed, 27

FREDERICK K. EMMONS PLAYGROUND: order for proper lighting, passed, 146

GIBSON ST PLAYGROUND: order for loan of \$100,000, referred to the committee on finance, 48

M ST. PLAYGROUND: motion to recall from the committee on finance the order for \$100,000, motion lost, 38

MATTAPAN DISTRICT: order for loan of \$50,000, 3—given first reading and passed, 4—given final reading and passed, 15—vetoed, 40

PLAYGROUND, FOREST HILLS: order to consider establishment of, passed, 146

RESERVOIR PLAYGROUND, BRIGHTON: order for loan of \$30,000 for locker building and improvements, referred to the committee on finance, 135

STANLEY A. RINGER PLAYGROUND: order that name of Aliston playground be changed to, passed, 14

SULLIVAN Sq PLAYGROUND: order to furnish additional bleacher seats, passed, 104; message transmitting communication, placed on file, 127

WARD 13: order regarding establishing, passed, 48

playgrounds, naming and renaming:

SULLIVAN (JAMES M. AND JOHN J.) PLAYGROUND: order that name of the Fellows st. playground be changed to, passed, 91

presence of commissioners desired: order for, at next meeting, passed, 55

riverway: message transmitting communication and order for \$27,000, to be appropriated from the Parkman fund, for improvements, referred to the committee on Parkman fund, 75

transfers of lands: message transmitting communication and order for, referred to the committee on public lands, 182—report accepted, order passed, 190

Wilson park: order as to the advisability of transferring to the public buildings department, referred to the executive committee, 27—report accepted; order passed, 33; message transmitting communication, placed on file, 40

Park Street, Ward 20.

sidewalks; schedule, passed, 202

Parke, E. V. B.

notice of resignation as city collector, placed on file, 70

Parker, John Harleston.

appointed art commissioner, placed on file, 128—approved, 145

Parkman Fund.

Arnold Arboretum and Franklin Park: message with communication and order for appropriation of \$16,000, for improvements, 125, 126—referred to the committee on Parkman fund, 126—report accepted, order passed, 140

Charlesgate gymnasium: message with communication and order for appropriation of \$10,000, referred to the committee on Parkman fund, 154—report accepted, order passed, 168

Common and parks: message with communication and order for transfer of \$28,000, to the park department for Franklin park, 229, 230—referred to the committee on Parkman fund, 230—report accepted, order passed, 233; message transmitting communication and order for transfer of \$27,530.01 to the park department, 277, 278—referred to the committee on Parkman fund, 278—report accepted, order passed, 280

fens improvements: message transmitting communication and order for appropriation of \$50,000 to the park department, referred to the committee on Parkman fund, 62—report accepted, order passed, 66; message transmitting communication and order for appropriation of \$25,000 from the Parkman fund, referred to the committee on Parkman fund, 155—report accepted, order passed, 168

Lafayette mall, Boston Common: message with communication and order for appropriation of \$2,800, referred to the committee on Parkman fund, 154—report accepted, order passed, 168

riverway improvements: message transmitting communication and order for transfer of \$27,000 to the park department for riverway improvements, referred to the committee on Parkman fund, 75—report accepted, order passed, 92

Parks, Naming and Renaming.

Cunningham (Edwin M.) park: order to so name, passed, 27

Parsons Street, Ward 26.

order for electric lights, passed, 37

Passionist Missionary Society.

petition for permission to use for burial purposes a lot of land on Washington st., Brighton, 121—report with order, report accepted, order passed, 122

Peabody, Francis.

notice of appointment as statistics trustee, placed on file, 64—notice of approval of civilservice commission, placed on file, 96

Pension System.

order for acceptance of act, referred to the executive committee, 140—report accepted, 174, order passed, 180

Pensions.

BATH, MICHAEL: order to accept act to pension, referred to the executive committee, 113; order for retirement with pension, passed, 133

BRIDE, THOMAS: petition to be retired, 24—report with order, report accepted, order passed, 33

CLANCY, WILLIAM S.: petition to be retired, 128—report with order for retirement, report accepted, order passed, 133

CONNORS, PETER F.: petition to be retired, 69—report with order for retirement, report accepted, order passed, 71

DALEY, WILLIAM: petition to be retired, 69—report with order for retirement, report accepted, order passed, 71

DINEEN, MRS. ELIZABETH J.: resolution favoring enactment of legislation to continue payment, passed, 7; order to accept act, passed, 70

DUGGAN, MARY A.: petition to be retired, 257—report with order for retirement, report accepted, order passed, 260

ELKINS, ABELENE F. D.: order to accept act to pension, passed, 54

FITZSIMMONS, MARY M.: order to accept act to pension, passed, 133

GREEN, ELLEN C.: petition to be retired, 288—report with order for retirement, report accepted, order passed, 294

KELLEY JOHN W.: petition to be retired, 298—report with order for retirement, report accepted, order passed, 301

MCDERMOTT, OWEN: petition to be retired, 112—report with order for retirement, report accepted, order passed, 113—vetoed, 125

MEAGHER, MICHAEL F.: order to accept act, referred to the committee on county accounts, 121—report accepted, order passed, 135

QUILTY, JOHN: petition to be retired, 128—report with order for retirement, report accepted, order passed, 133

SHARKEY, MARGARET: petition to be retired, 34—report with order for retirement, report accepted, order passed, 37

Pensions, continued.

SULLIVAN, DAPHNE: petition to be retired, 304—report with order for retirement, report accepted, order passed, 305, 306

SULLIVAN, JOSEPH D.: message with communication petitioning for retirement, referred to the executive committee, 287—report with order for retirement, report accepted, order passed, 294

WORBELL, ARTHUR A.: notice of retirement, referred to the committee on county accounts, 13—report with order for retirement, report accepted, order passed, 218

Perkins Street, Ward 14.

sidewalks: schedule, passed, 202

Perkins Street, Ward 22.

sidewalks: order for construction, passed, 241

Peter Parley Road, No. 2, Ward 22.

sidewalk: order for construction, passed, 218

Peterson, Monsignor John B.

delivered prayer at organization of city government, page 1

Peterson (John C.) Square. (See Squares, Naming and Renaming.)**Playgrounds. (See Park Department.)****Poe (Edgar Allen) Square. (See Squares, Naming and Renaming.)****Police Band.**

order as to possibility of appropriation for, 221—passed, 223

Police Department.

police matrons: communication with order for increases in salaries, referred to the executive committee, 289

police station No. 2: message with communications and order for loan of \$500,000, 136, 137—referred to the committee on finance, 137—given first reading and passed, 140, 141—given second reading and passed, 147, 148; message with order for loan of \$60,000, and order for transfer of \$11,000, referred to the executive committee, 264—report accepted, orders passed, 266—given final reading and passed, 283

Police Matrons. (See Police Department.)**Police Station, No. 2. (See Police Department.)****Port of Boston, Development of.**

order for hearing, 59—referred to the executive committee, 60—report with new order, report accepted, order passed, 60

Powers, Philip J.

resolution favoring legislation to reinstate, passed, 10—vetoed, 17

Prevention of Acquiring Easements.

notice from First African Methodist Episcopal Society, placed on file, 76

Price of Gas.

order for indorsement of Mayor Curley in his efforts to reduce the price of gas, passed, 217

Printing Department.

superintendent: John J. O'Hara, appointed, placed on file, 7; William J. Casey, appointed, placed on file, 35—approved by civil service commission, 44

temporary superintendent: notice of appointment of John H. Dunn, placed on file, 7

city documents: order that the resolution as to the sale of beer and light wines be printed as a city document, passed, 27

Prisons, Inspection of.

report: annual report of the committee, ordered printed as a city document, 323

Prospect Avenue, Ward 23.

sidewalks: orders for construction, passed, 147

Protest Against Discrimination at Harvard.

preambles and resolution regarding, 129—passed, 133

Protest Against State Legislation. (See State Legislation, Protest Against.)**Province Street, Building Line on.**

message with order for loan of \$250,000, referred to the committee on finance, 153; communications regarding, 161, 162—placed on file, 162—report accepted, order passed, 163, 189

Public Buildings Department.

city building, 456 and 458 West Fourth st.: order to lease, passed, 274

city hall: order to provide new building, passed, 4

courthouse, Dorchester: order to submit sites for, passed, 65

fuel oil equipment, city hall annex, and motorizing the ambulances: order for transfer from the reserve fund of \$19,610, referred to the executive committee, 120—report accepted, order passed, 122

Hyde Park gymnasium: order to open for the use of the public, passed 92

motor vehicles: message transmitting communication and order for transfer of \$2,000, from the reserve fund, referred to the executive committee, 170—report accepted, order passed, 174

municipal building and gymnasium, Ward 23: order for loan of \$350,000, referred to the committee on finance, 38

municipal building, Brighton: order for estimate of cost, passed, 4; message transmitting estimate, placed on file, 12; order as to available sites and the costs of same, passed, 14; order as to the advisability of transferring "Wilson park" from the park department, referred to the executive committee, 27—report accepted, order passed, 33; message transmitting communication, placed on file, 40; order for loan of \$350,000, referred to the committee on finance, 46; message transmitting communication regarding sites, placed on file 49; order to petition legislature for legislation to enable city to borrow \$360,000 outside the debt limit, passed, 305

municipal building, old Ward 12: see Department Transfers

municipal building, Roxbury Crossing: order relative to site and building, 44—passed, 46

municipal building, Ward 21, Dorchester: order for estimate of cost, passed, 10; message transmitting estimate, placed on file, 23

municipal building, West End: order relative to site and cost, passed, 46

old armory hall, East Boston: petition for lease to Major P. J. Grady Camp No. 3, U. S. W. V., 57

old fire house, South Boston: message transmitting message and order for sale, referred to the executive committee, 23, 24—report accepted, order read once and passed, 37—read a second time and passed, 55

Public Buildings Department, continued.**pensions and annuities:**

Bath, Michael: *see* Reserve Fund

sale of house: message transmitting communication and order for sale of wooden house at the junction of River and Winthrop sts., Hyde Park, referred to the committee on public lands, 112-report accepted, order passed, 122; message with communication and order for sale at auction at not less than \$900, referred to the executive committee, 139-report accepted, order passed, 140; message with order for sale at not less than \$300, referred to the executive committee, 155-report accepted, order passed, 163

sale of land: message transmitting communication and order for sale to Mary M. Brady, referred to the executive committee, 56-report accepted, given first reading and passed, 60-given final reading and passed, 71

transfer of city building: order for transfer of city building located in Francis G. Kane sq., Dorchester, from the public works department, passed, 113; message transmitting communication, placed on file, 127

Public Celebrations.

appropriation: message with order for transfer of \$2,000 from the reserve fund for fire anniversary, referred to the executive committee, 255-report accepted, order passed, 260

transfer from the reserve fund: order for \$5,000, referred to the executive committee, 166-report accepted, order passed, 168

Public Works Department.

commissioner: Joseph A. Rourke, appointed, placed on file, 7-approved by civil service commission, 44; notice of resignation of T. F. Sullivan, placed on file, 44

deputy commissioner: message with draft of ordinance, 49, 50-referred to the committee on ordinances, 50-report accepted, ordinance passed, 60

Avenue Louis Pasteur: message transmitting communications and draft of ordinance for transfer to park department, 237, 238-referred to the committee on ordinances, 238-report accepted, ordinance passed, 249

Beacon st. bridge: message with communication and order for loan of \$175,000, referred to the committee on finance, 42-report accepted, given first reading and passed, 46-given final reading and passed, 61

bridge and ferry division: message transmitting communication and draft of ordinance for transfer of the custody of certain bridges from the park department, referred to the committee on ordinances, 238-report accepted, ordinance rejected, 249

Cambridge st. bridge: message with communication and order for loan of \$160,000, referred to the committee on finance, 42-report accepted, given first reading and passed, 46-given final reading and passed, 61; order as to reason for delay in building, passed, 265; message transmitting communication, placed on file, 270, 271

high service main: message with communication and order for the transfer of \$29,000 from the water service division, referred to the executive committee, 144-report accepted, order passed, 147

highways, making of: message with order for loan of \$100,000 for improvement of Chelsea st., referred to the committee on finance, 150-report accepted, given first reading and passed, 163-given final reading and passed, 180

ice for drinking fountains: message with order for appropriation of \$5,000, to be charged to the reserve fund, referred to the executive committee, 100-report accepted, order passed, 106, 107

lighting streets: order for electric lights on Parsons st., Ward 26, passed, 37; order for electric lights in Union sq., Brighton, passed, 242 order to install electric light on Mather st., Dorchester, passed, 293

Pierce sq.; order to erect signs, passed, 293

sale of old materials: message transmitting communication and order, referred to the executive committee, 100-report accepted, order passed, 106

sewerage: message transmitting communication and order for loan of \$800,000, referred to the committee on finance, 24-report accepted, given first reading and passed, 46-given final reading and passed, 60

sidewalk schedules; Centre st., Ward 15; Summer st., Ward 9; Dudley st., Ward 17, passed, 13; Euclid st., Ward 21; Arlington st., Ward 26, and Seaver st., Ward 19, 69, 70-passed, 70; Orchard st., Ward 22, passed, 91; Market st., Ward 26, passed, 161; South st., Ward 22, 145, 146-passed, 146; Fairbanks st., Ward 26, passed, 183; Centre and Wachusett sts., Ward 22, passed, 195; Centre st., Ward 15; Julian st., Ward 17; Perkins st., Ward 14; Park st., Ward 20; Judson st., Ward 17, passed, 202

sidewalks, orders for construction:

Adams st., Wards 18 and 20, passed, 123
Adelaide st., Ward 22, passed, 97

Public Works Department, continued.

Alkie st., Ward 26, passed, 161
Amherst st., Ward 23, passed, 195
Atherton st., No. 75, Ward 15, passed, 259
Blakeville st., Ward 18, passed, 81
Blue Hill ave., Wards 21 and 24, passed, 266
Boylston st., Ward 22, passed, 174
Braemore rd., Ward 25, passed, 123
Bullard st., Ward 19, passed, 241
Canterbury st., Ward 23, passed, 60
Centre ave., Ward 20, passed, 195
Centre st., Wards 19 and 20, passed, 195
Custer st., Ward 22, passed, 81
Dana ave., Ward 24, passed, 123
Dudley st., Ward 12, passed, 161
Elm st., Ward 24, passed, 309
Fairland st., Ward 12, passed, 174
Florence st., Ward 23, passed, 81
Franklin ave., Ward 8, passed, 203
Henshaw st., No. 35, 218-passed, 219
Holton st., Ward 26, passed 97
Humboldt ave., Ward 16, passed 116
Huntington ave., Ward 7, passed, 271, 272 (3)
Hyde Park ave., Ward 24, passed 123
Jamaica st., Ward 22, passed, 195
Lawn st., Ward 14, passed, 133
Leonard st., Ward 18, passed, 174
Longfellow st., No. 37, Ward 18, passed, 202
Main st., Ward 3, passed, 122
Morton st., Ward 22, passed, 14
Mt. Pleasant ave., Ward 12, passed, 147
Mystic ave., Ward 3, passed, 122
Neponset ave., Ward 20, passed, 123
Newburg st., Ward 23, passed, 60-vetoed, 75
Nixon st., Dorchester, passed, 266-message transmitting communication concerning, 278
Northampton st., Ward 12, passed, 147
Perkins st., Ward 22, passed, 241
Peter Parley road, No. 2, Ward 22, passed, 218
Prospect ave., Ward 23, passed, 147
Rill st., Ward 17, passed, 211
Sachem st., Ward 14, passed, 305
Saunders st., Ward 25, passed, 161, 259
Shannon st., Ward 25, passed, 161
St. John st., Ward 22, passed, 54
St. Joseph st., Ward 22, passed, 195
Tappan st., Ward 23, passed, 133
Wensley st., Ward 14, passed, 91
Williams st., Ward 22, passed 74
Woodman st., Ward 22, passed, 195

transfer of city building: order for transfer of city building located in Francis G. Kane sq., Dorchester, to the public buildings department, passed, 113; message transmitting communication, placed on file, 127

water division; order to request commissioner to place a water main on Cottage road, West Roxbury, passed, 113; message transmitting communication, 143, 144-placed on file, 144; communication requesting installation of water supply in Grove Street Grove and West Roxbury Highlands, placed on file, 174; draft of amendment to ordinance referred to the committee on ordinances, 293-recalled and new amendment substituted, passed, 306

water service; message transmitting order appropriating \$12,160 from income, referred to the executive committee, 155-report accepted, order passed, 163; message with communication and order for transfer of \$100,000, to high pressure fire system, referred to the executive committee, 201-report accepted, order passed, 207

Purchase of Land, Baldwin Place.

communication from the finance commission, placed on file, 298

Purchase of Land, Bath Street.

message with communication, preamble and order, 150, 151-referred to the committee on public lands, 151-report accepted, order passed, 163; message transmitting communication and new order, referred to the committee on public lands, 156-report accepted, order passed, 163-given final reading and passed 180; message with order that order be rescinded, referred to the executive committee, 297; message with order to register the title in the Land Court, referred to the executive committee, 264-given first reading and passed, 266; message with order to register the title in the land court, referred to the executive committee, 268-report accepted, order passed, 276; message with communication and order for, referred to the executive committee, 297-report accepted, given first reading and passed, 301-given final reading and passed, 309

Queenan (Agnes) Square. (See Squares, Naming and Renaming.)

Quilty, John.

petition to be retired, 128—report with order for retirement, report accepted, order passed, 133

Railroad Police.

see Boston & Maine Railroad.

Railroad Yard, Abandonment of. (See Boston & Albany Railroad.)**Railway Police.**

see Boston Elevated Railway Company.

Readville Street, Hyde Park.

order for laying out, passed, 60

Registry of Deeds. (See County of Suffolk, County Accounts.)**Reidy, Michael J.**

notice of appointment as street commissioner, placed on file, 298

Release of City Land, North End.

message transmitting communication and order for, referred to the committee on public lands, 111—given first reading and passed, 122—given final reading and passed, 135

Release of City's Rights, Gately Street.

message transmitting communication and order for release, referred to the executive committee, 86—report accepted, given first reading and passed, 92—given final reading and passed, 107

Relief Station, Dorchester. (See Hospital Department.)**Removal of Restrictions, South End.**

communication with orders, 149, 150—referred to the committee on public lands, 150—given final reading and passed, 181

Rent and Housing, Committee on.**appropriation:**

message with order for \$1,000, to be charged to the reserve fund, referred to the executive committee, 23—report accepted, order passed, 33; message with order for \$1,500, to be charged to the reserve fund, referred to the executive committee, 87—report accepted, order passed, 92; order for \$2,500, to be charged to the reserve fund, referred to the executive committee, 158—report accepted, order passed, 163; message with order for \$1,500, to be charged to the reserve fund, referred to the executive committee, 255—report accepted, order passed, 260

Reserve Fund.**charges against:**

BOSTON COMMITTEE FOR AMERICANISM: order for \$5,000, referred to the executive committee, 152—report accepted, order passed, 153
BOSTON CONSERVATION BUREAU: order for \$3,000, referred to the executive committee, 236—report accepted, order passed, 242
CITY PLANNING BOARD: order for \$10,000, referred to the executive committee, 226—report accepted, order passed, 228
COAL SUPPLY FOR BOSTON: order for \$10,000, 201, 202—referred to the executive committee, 202—report accepted, order passed, 207
COMMERCIAL, INDUSTRIAL AND PUBLICITY BUREAU: order for, referred to the executive committee, 12—report accepted, order passed, 14
COMPREHENSIVE CITY PLAN: order for \$10,000, referred to the executive committee, 19, 20, 21—report accepted, order passed, 33
DONOHUE, FRANCIS P.: order for, referred to the executive committee, 297—report accepted, order passed, 301

Reserve Fund, continued.

EDISON ELECTRIC ILLUMINATING COMPANY: order for, 41, 42—referred to the executive committee, 42; order for \$25,000, referred to the executive committee, 138—report accepted, order passed, 140

NEW ENGLAND DIFFERENTIAL SITUATION: order for \$2,500, referred to the executive committee, 225—report accepted, order passed, 227

O'BRIEN, MRS. ELLEN, PAYMENT TO: order for \$1,500, passed, 97

O'BRIEN, MRS. MAURICE: order for, 59—report accepted, order passed, 66—vetoed, referred to the executive committee, 86—report accepted, placed on file, 92

RENT AND HOUSING COMMITTEE ON: order for \$1,000, referred to the executive committee, 23—report accepted, order passed, 33; order for \$1,500, referred to the executive committee, 87—report accepted, order passed, 92; order for \$2,500, referred to the executive committee, 158—report accepted, order passed, 163

RETIREMENT BOARD: order for, referred to the executive committee, 236—report accepted, order passed, 242

SHEEHAN, MICHAEL, PAYMENT TO: order for, passed, 97

SUITS OF NATIONAL BANKS: order for, 67, 68—referred to the executive committee, 68—report accepted, order passed, 80

transfers from:

ATLAS CONSTRUCTION COMPANY: order for, 198—passed, 201

COLLECTING DEPARTMENT: order for, referred to the executive committee, 226—report accepted, order passed, 227

ELECTION DEPARTMENT: order for \$1,988, referred to the executive committee, 152—report accepted, order passed, 153; order for \$780, 226, 227—referred to the executive committee, 227—report accepted, order passed, 227; order for \$780, referred to the executive committee, 220—report accepted, order passed, 233

FILLING OF CARROLL'S POND: order for, referred to the executive committee, 126—report accepted, order passed, 133

INSTITUTIONS DEPARTMENT: order for, 197, 198—referred to the executive committee, 198—report accepted, order passed, 207

MUNICIPAL COURT, DORCHESTER DISTRICT: order for \$222.04, referred to the executive committee, 144—report accepted, order passed, 146

OVERSEERING OF THE PUBLIC WELFARE DEPARTMENT: orders for, 269, 270—referred to the executive committee, 270—report accepted, orders passed, 276

PUBLIC BUILDINGS DEPARTMENT: order for \$19,610, referred to the executive committee, 120—report accepted, order passed, 122

PUBLIC BUILDINGS DEPARTMENT: order for, referred to the executive committee, 126—report accepted, order passed, 134; order for \$2,000, referred to the executive committee, 170—report accepted, order passed, 174

PUBLIC BUILDINGS DEPARTMENT (MICHAEL BATH): order for \$613.25, referred to the executive committee, 139—report accepted, order passed, 140

PUBLIC CELEBRATIONS: order for, referred to the executive committee, 166—report accepted, order passed, 168; message with order for \$2,000, referred to the executive committee, 255—report accepted, order passed, 260; order for, referred to the executive committee, 270—report accepted, order passed, 276

PUBLIC WORKS DEPARTMENT: order for, referred to the executive committee, 165—report accepted, order passed, 168

REGISTRY OF DEEDS: order for \$6,039.52, referred to the executive committee, 216—report accepted, order passed, 218

RENT AND HOUSING COMMITTEE: order for \$1,500, referred to the executive committee, 255—report accepted, order passed, 260

SOLDIERS' RELIEF DEPARTMENT: order for \$940.74, passed, 152

SUPERIOR COURT: order for \$592.64, 138—referred to the executive committee, 139—report accepted, order passed, 140

SUPREME JUDICIAL COURT: order for \$3,000, referred to the executive committee, 229—report accepted, order passed, 233

WEIGHTS AND MEASURES DEPARTMENT: order for \$1,600, referred to the executive committee, 236—report accepted, order passed, 242

Retirement Allowances.

communication regarding, 172, 173—placed on file, 173

Retirement and Pensioning of Spanish War Veterans.
(See Spanish War Veterans, Retirement and Pensioning of.)**Retirement Board.**

members: Wilfred J. Doyle appointed, placed on file, 217

expenses for remainder of year: order for, to be charged to the reserve fund, referred to the executive committee, 236—report accepted, order passed, 242

Retirement System. (*See Pension System.*)

Rill Street, Ward 17.

sidewalks: order for construction, passed, 211

Ripley, Hubert J.

notice of appointment as member of the board of appeal, placed on file, 195—notice of approval by civil service commission, placed on file, 202

Ritchie (Richard T.) Square. (*See Squares, Naming and Renaming.*)

Riverway. (*See Park Department.*)

Road Race, Cathedral A. C.

order to request closing of Union Park st., passed, 55

Roberto, Alfonso.

petition for a license to operate jitneys, 220—granted 240—vetoed, referred to the executive committee, 254—report accepted, message placed on file, 260

Rock, Frank P.

appointed superintendent of supplies, 24—approved by civil service commission, placed on file, 57

Roller Skating on Sidewalks.

petition from Norumbega Women's Club, 57; communication from Jamaica Plain Tuesday Club asking for prohibition of, referred to the committee on ordinances, 91

Roosevelt, Theodore, Tribute to.

order regarding, passed, 243

Rourke, Joseph A.

appointed commissioner of public works, placed on file, 7—approved by civil service commission, 44; notice of appointment as temporary transit commissioner, placed on file, 63

Rourke, Louis K.

notice of appointment as transit commissioner, placed on file, 63—confirmed by civil service commission, 76

Rowen, Henry S., M. D.

notice of appointment as city hospital trustee, placed on file, 64—approved by the civil service commission, 91

Ryan (Matthew Emmett) Square. (*See Squares, naming and Renaming.*)

Sachem Street, Ward 14.

sidewalks; order for construction, passed, 305

St. Joseph Street, Ward 22.

sidewalks: order for construction, passed, 195

Sale of City Land, Fairmount Reservoir.

message with communication and order for sale of Fairmount Reservoir land, Hyde Park, 170, 171—referred to the committee on public lands, 171—report accepted, order rejected, 214

Sale of City Land, West Roxbury.

message transmitting communication and order for sale of, referred to the committee on public lands, 111—given first reading and passed, 122—given final reading and passed, 135

Sale of Fire House, South Boston. (*See Public Buildings Department.*)

Sale of Old Material.

see Fire Department.
see Public Works Department.

Sale of Pigs. (*See Institutions Department.*)

Sale of Wooden House, Hyde Park. (*See Public Buildings Department.*)

Sales of City Property.

see Public Buildings Department

Saunders Street, Ward 25.

sidewalks; order for construction, passed 161, 259

School Committee.

histories in schools: order regarding use of certain books in schools, 223—passed, 225; communication from the school committee, 239; order requesting the removal of certain books from use in the public schools, 239, 240—passed, 241; communication, transmitting majority and minority reports, 298—placed on file, 299

Schoolhouse Department.

commissioners: Thomas P. Glynn, appointed, placed on file, 7; Thomas C. Dolan, appointed, 64, 112; Thomas P. Glynn, appointed, 96—approved by civil service commission, placed on file, 112; Clarence H. Blackall, appointed, 195

temporary commissioner: notice of appointment of John H. Dunn, placed on file, 7

Adams st. school: copy of preambles and order from the school committee and order for leasing school building to the American Legion, passed, 140

Seaver Street, Ward 19.

sidewalks: schedule of cost with order to assess and collect, 69, 70—passed, 70

Segal, William.

resolution favoring legislation for payment to, referred to the executive committee, report accepted, order passed, 37; resolution favoring legislation for the payment of a sum of money to, passed, 129; order to accept act for payment to, referred to the executive committee, 161—report accepted, order passed, 163; order for payment of \$2,500, passed, 167

Seiberlich, Frank.

appointed election commissioner, placed on file, 128—approved by civil service commission, placed on file, 160

Sewerage. (*See Public Works Department.*)

Shannon Street, Ward 25.

sidewalks: order for construction, passed, 161

Sharkey, Margaret.

petition to be retired, 34—report with order for retirement, report accepted, order passed, 37

Shea, James B.

notice of appointment as park commissioner, placed on file, 64—confirmed by civil service commission, 76; notice of appointment as chairman of the park commission, placed on file, 96, 112

Sheehan, Father of Robert L.

resolve favoring legislation to pay sum of money to, passed, 10, 82

Sheehan, Michael.

order for payment of \$2,500 to, passed, 97

Sheenan, Frederick M. J.

appointed director of the Workingmen's Loan Association, 138

Sick Leave, City Employees. (See City Employees.)**Sidewalks.** (See Public Works Department.)**Sinking Funds Department.**

commissioners: Frederic J. Crosby, appointed, 64, 195; Matthew Cummings, appointed, 64

Slattery, Francis E.

notice of appointment as transit commissioner, placed on file, 51, 63

Slattery, Mrs. Francis E.

notice of appointment as member of Boston conservation bureau, placed on file, 242—approved by civil service commission, placed on file, 265

Small (William F.) Square. (See Squares, Naming and Renaming.)**Smith, Mrs. Walker A.**

resolution favoring legislation for payment to, passed, 10—vetoed, 18

Sneider (Barnet) Square. (See Squares, Naming and Renaming.)**Social Law Library.** (See County of Suffolk, County Accounts.)**Soldiers' Relief Department.**

commissioners: Henry C. McKenna, resigned, 125; Timothy W. Kelly, appointed, 140; Michael J. Ward, appointed, 160, 167; John H. L. Noyes, appointed, 195; Gen. John H. Dunn, appointed, 211

temporary commissioners: John H. Dunn, appointed, 140, 231; Charles J. Fox, appointed, 174

appropriations: order for \$300 for immediate relief, passed, 15; order for \$300 for immediate relief, referred to the executive committee, 59—report accepted, order passed, 60; order for \$300 for immediate relief, passed, 113; order for \$300 for immediate relief, passed, 153; order for \$300 for immediate relief, passed, 206; order for \$300 for immediate relief, passed 265; order for \$300 for immediate relief, passed, 315

additional appropriation: order for \$1,100,000, referred to the committee on appropriations, 87—report accepted, order passed, 92; message with order for \$150,000, referred to the executive committee, 158—report accepted, order passed, 163

clerk: message with communication and order for transfer of \$940.74 from the reserve fund, passed, 152

ordinance: message with draft of ordinance for increase of salary of commissioner, 264, 265—referred to the committee on ordinances, 265—report accepted, ordinance passed, 274

payments: order for semi-monthly payments, passed, 66; message transmitting communication, 86, 87—placed on file, 87

Soldiers' Relief Department, continued.

state aid: month of February, 24, 25—passed, 25; month of March, passed, 57; month of April, passed, 91; month of May, passed, 129; month of June, passed, 146; month of July, passed, 163; month of August, passed, 206; month of October, passed 253; month of November, passed, 265; month of December, passed, 293; month of January, 1923, passed, 315

Soliciting in the Streets. (See Ordinances.)**South Street, Ward 22.**

sidewalk schedule: passed, 145, 146

Spanish War Veterans. (See City Employees.)**Spanish War Veterans, Retirement and Pensioning of:**

message with order for acceptance of act, referred to the executive committee, 227—report accepted, order passed, 227

Speech of Hon. W. Bourke Cockran.

order to print as a city document, passed, 231

Squares, Naming and Renaming.

Abbott (Edmund B) sq.: order to so name, passed, 259

Bates (John) sq.: order to so name, passed, 109

Brittain (William J.) sq.: order for transfer of name, passed, 80—vetoed, 86

Burke (Leonce C.) sq.: order to so name, passed, 27—vetoed, 40

Chisholm (Lawrence C.) sq.: order to so name, passed, 65

Connors (John J.) sq.: order that name of Winthrop sq., Charlestown, be changed to, referred to the executive committee, 93

Corbett (William J.) sq.: order to so name, passed, 167

Crowley (Joseph C.) sq.: order to so name, passed, 7, 46

Cummings (Edward F.) sq.: order to so name, passed, 218

Davis (John J.) sq.: order to so name, passed, 164

Ditmars (Harry Fenwick) sq.: order to so name, passed, 65

Dobry (Michael J.) sq.: order to so name, passed, 206

Dowd (John Joseph) sq.: order to so name, passed, 92

Eagan (Edward F.) sq.: order to rescind order passed November 28, 1921, passed, 122; order to so name, 122, 123—passed, 123

Flynn (James J.) sq.: order to so name, passed, 93—vetoed, 95

Giorgione (Gaetano) sq.: order to so name, passed, 259

Giovannani (Joseph J.) sq.: order to so name, passed, 259

Gozikowski (Stanislaw) sq.: order to so name, passed, 206

Hasson (John Francis) sq.: order to so name, passed, 140

Hayes (Robert) sq.: order to so name, passed, 65

Holmes (John C.) sq.: order to so name, passed, 280

Jones (William C.) sq.: order to so name, passed, 146

Kelly (William J.) sq.: order that name of Central Park sq., East Boston, be changed to, passed, 82

Keyes (William J.) sq.: order to so name, passed, 206

Lally (William J.) sq.: order to so name, passed, 27

Lyons (Herbert) sq.: order to so name, passed, 169

Mahoney (Cornelius T.) sq.: order for change of name of Hyde sq. to, passed, 27, 71

McIver (Gavin R.) sq.: order to so name, passed, 146

McNamara (Edward) sq.: order to so name, passed, 169

Mulhern (William J.) sq.: order to so name, passed, 27—vetoed, 40

O'Donnell (Alexander) sq.: order to so name, passed, 113

Peterson (John C.) sq.: order to so name, passed, 71

Poe (Edgar Allen) sq.: order to so name, passed, 280

Queenan (Agnes) sq.: order to so name, passed, 93—vetoed, 95

Squares, Naming and Renaming, continued.

- Ritchie (Richard T.) sq.:** order to so name, passed, 27
- Ryan (Matthew Emmett) sq.:** order that naming of square be rescinded, passed, 280; order to so name, passed, 280
- Small (William F.) sq.:** order to so name, passed, 27
- Sneider (Barnet) sq.:** order to so name, passed, 308
- Stern (Morris I.) sq.:** order to so name also to rescind previous order, passed, 92
- Sullivan (Richard J.) sq.:** order to so name, passed, 259
- Tryder (William A.) sq.:** order to so name, passed, 92-vetoed, 95
- Viola (Benedetto) sq.:** order to so name, passed, 91
- Warren (Samuel) sq.:** order to so name, passed, 59

State Legislation, Protest Against.

- preambles and resolutions regarding, passed, 65

Statistics Department.

- trustees:** Benedict DeBellis, appointed, 64; Francis Peabody, appointed, 64; James P. Balfe, appointed, 160, 195
- secretary:** message with draft of amendment to ordinance, referred to the committee on ordinances, 225-report accepted, order passed, 242
- municipal register for 1922, etc.:** order to prepare and print, passed, 4

Statutes.

- Atlas Construction Company:** order to accept, 160-report accepted, order laid on table 168-passed, 180
- garages:** orer to accept, referred to the executive committee, 97-report accepted, order passed, 97; communication from the mayor, 119, 120-placed on file, 120
- pension system:** order to accept, passed, 140-report accepted, 174-order passed, 180
- retirement and pensioning of Spanish War veterans:** message with order for acceptance of act, referred to the executive committee, 227-report accepted, order passed, 227
- BATH, MICHAEL:** order to accept, referred to the executive committee, 113
- DINEEN, MRS. DANIEL T.:** order to accept, passed, 70
- MCGILL, MOTHER OF ARTHUR B.:** order to accept act for payment to, referred to the executive committee, 46-report accepted, order passed, 51
- MEAGHER, MICHAEL F.:** order to accept act to pension, referred to the committee on county accounts, 121

Steamer "Monitor." (See Institutions Department.)**Stern (Morris I.) Square. (See Squares, Naming and Renaming.)****Stewart, Elias J.**

- resolution favoring legislation to pension, passed, 315

St. John Street.

- sidewalks: order for construction, passed, 54

Stokes, Warren J.

- resolution favoring legislation to increase pension, passed, 10-vetoed, 17

Stone, James H.

- notice of appointment as overseer of the public welfare, placed on file, 64-approved by the civil service commission, 91

Strandway. (See Park Department.)**Stratton Street.**

- order for laying out an extension of street, passed, 129

Street Commissioners. (See Street Laying-Out Department.)**Street Laying-Out Department.**

- street commissioners:** communication making a new delegation of powers to board, placed on file, 13; John H. L. Noyes, appointed, 231; Michael J. Reidy appointed, 298
- organization:** notice of appointment of Edward P. Fogarty as secretary *pro tem*, 195
- Belgrade terrace:** order to accept and lay out as a public street, passed, 241
- change in street name:** notice of change of name of Malcolm st. to Cedarlane way, placed on file, 44
- highways, making of:** message with order for loan of \$500,000, referred to the committee on finance, 41-report accepted, given first reading and passed, 46-order assigned to next meeting, 60, 61-order given final reading and passed, 66
- laying out of streets:** order for laying out of Readville, East Milton and West Milton sts., Hyde Park, passed, 60; order for laying out of Woodbine rd., West Roxbury, as a public street, referred to the executive committee, 71-report accepted, order passed, 71; order for laying out of Linden st., West Roxbury, passed, 92; order for laying out of Oak ave., Dorchester, passed, 92; order for laying out of Elven rd., Roslindale, passed, 92; order for estimate of cost of laying out Museum sq., passed, 97; message transmitting estimate, placed on file, 127; message transmitting communication relative to laying out streets, placed on file, 119
- Stratton st.:** order for extension of street, passed, 129
- street widening:** order for information as to widening of Cambridge st. passed, 266-order as to approximate cost, referred to the executive committee, 272-report accepted, order passed, 276-communication from city planning board, 312, 313-placed on file, 313
- traffic regulations:** notice of amendment to, placed on file, 44, 96, 121, 144, 160, 167, 195, 278; notice that Lynn st., from Thacher st. to Cooper st., is a one-way street, placed on file, 318
- transfers of lands:** message transmitting communication and order for transfers to the park department, referred to the committee on public lands, 182-report accepted, order passed, 190

Suits of National Banks.

- message with communication and order for \$50,000 to be charged to the reserve fund, 67, 68-referred to the executive committee, 68-report accepted, order passed, 80

Sullivan, Daphne. (See Pensions.)**Sullivan, E. Mark.**

- appointed corporation counsel, placed on file, 7-approved by civil service commission, 44; notice of appointment as temporary building commissioner, placed on file, 70

Sullivan, John M.

- notice of appointment as inspector in the health department, placed on file, 145

Sullivan, Joseph D. (See Pensions.)**Sullivan (Richard J.) Square. (See Squares, Naming and Renaming.)****Sullivan, Thomas F.**

- notice of resignation as commissioner of public works, placed on file, 44; notice of appointment as transit commissioner, placed on file, 51; notice of appointment as temporary transit commissioner, placed on file, 63; notice of appointment as transit commissioner, placed on file, 63; notice of appointment as chairman of transit commissioners, placed on file, 70

Summer Street, Ward 9.

- sidewalks: schedule of costs with order to assess and collect, passed, 13

Supply Department.

superintendent: notice of resignation of George J. Cronin, placed on file, 44

temporary superintendent: William J. Casey, appointed, 44

Swan, Mrs. William C.

order for annuity of \$600, passed, 220

Taking of Docking Facilities. (See Docking Facilities, Taking of.)**Tappan Street, Ward 23.**

sidewalks: order for construction, passed, 133

Temporary Loan. (See Loans.)**Thompson, Daniel.**

resolution favoring legislation for payment to, referred to the executive committee, 14—report accepted, order passed, 14

Ticket Speculation on Theater Premises.

order regarding, passed 249—communication regarding, placed on file, 265

Track Locations.

granted: 18th, placed on file, 258; order to furnish number granted, passed 294; message with communication, placed on file, 307; order for appointment of committee to inquire into legality, 294—passed, 295

jurisdiction of: order as to, 259—passed, 260; message with opinion of corporation counsel, referred to the executive committee, 287—report accepted, communication placed on file, 301

see Eastern Massachusetts Street Railway Company

see West End Street Railway Company.

see Walter Baker & Co., Limited.

Traffic Regulations. (See Street Laying-Out Department.)**Tribute to General Edwards.** (See Edwards, Major-General Clarence R.)**Tribute to Theodore Roosevelt.** (See Roosevelt, Theodore, Tribute to.)**Transfer Station, Allston.** (See Boston Elevated Railway Company.)**Transfers.**

see Department Transfers

see Reserve Fund

Transit Department.

commissioners: notice of resignation of Edmund Billings, placed on file, 50; Thomas F. Sullivan and Francis E. Slattery, appointed, 51; Louis K. Rourke, appointed, 63—confirmed by civil service commission, 76; Francis E. Slattery, appointed, 63; Thomas F. Sullivan, appointed, 63

organization: Thomas F. Sullivan, appointed chairman, 70

temporary commissioners; Joseph A. Rourke, appointed, 63; Thomas F. Sullivan appointed, 63

transit commission: see Ordinances.

Treasury Department.

city treasurer: John J. Curley, appointed, placed on file, 7; notice of resignation of Frank S. Deland, placed on file, 44

additional appropriation: message transmitting order for, 155, 156—referred to the executive committee, 156—report accepted, order passed, 168

Tryder (William A.) Square. (See Squares, Naming and Renaming.)**Two-Platoon System.** (See Fire Department.)**Unclaimed Baggage.**

committee on: order to appoint, passed, 4

see Boston & Maine Railroad.

see New York, New Haven & Hartford Railroad Company.

Unemployment.

committee on: message with order for appropriation of \$10,000, to be charged to the reserve fund, referred to the executive committee, 13—report accepted, order passed, 14

Unfinished Business. (See City Council.)**United Commercial Travelers of America.**

resolution to invite them to hold their convention in Boston, June, 1923, passed, 33

United Improvement Association.

petition for an opinion as to the constitutionality of the law relative to revocation of street railway locations, 101

Veterans.

compensation: preambles, resolution and order regarding, referred to the executive committee, 35—report with preambles, resolution and order, report accepted, preambles and order passed, 37

Viaduct Over Boston & Albany Yard.

order for estimate of cost, 58—passed, 59; message transmitting estimate of cost, 100, 101—placed on file, 101

Viola (Benedetto) Square. (See Squares, Naming and Renaming.)**Wachusett Street, Ward 22.**

sidewalks: schedule, passed, 195

Walsh, John J.

notice of appointment as member of city planning board, placed on file, 64—approved by civil service commission, 91

Walsh, William J., Councilor.

oath of office administered: page 1

appointed: committees, 15

orders and resolves:

oathing beach, Brighton, 46

Cambridge st. bridge, 265

claim of Atlas Construction Company, 160

delay in bridge completion, Brighton, 10

electric lights in Union sq., Brighton, 242

legislation favoring Mrs. M. J. Coyne, 80

legislation for Mrs. Michael J. Coyne, 315

Walsh, William J., Councilor, continued.

legislation for Mrs. Daniel J. Driscoll, 315
lights, Parsons st., 37
loan for locker building, Brighton, 135
loan for municipal building, Brighton, 308
municipal building, Brighton, 4, 46
naming of Chisholm (Lawrence C.) sq., 65
naming of Cunningham (Edwin M.) park, 27
naming of Dufurs (Harry Fenwick) sq., 65
naming of Lally (William J.) sq., 27
naming of Ringer (Stanley A.) playground, 14
naming of Ritchie (Richard T.) sq., 27
naming of Small (William F.) sq., 27
naming of Sneider (Barnet) sq., 308
naming of Viola (Benedetto) sq., 91
payment of monthly pay roll, 259
protest against transfer station, Allston, 146
reinstatement of Daniel J. O'Sullivan, 46
shutting off water, 293, 306
sidewalks, Aldie st., 161
sidewalks, Amherst st., 195
sidewalks, Holton st., 97
sidewalks, Saunders st., 161, 259
sidewalks, Shannon st., 161
site for municipal building, Brighton, 14
transfer of park, 27

Walter Scott Medal for Valor.

message with order for acceptance of medals and bonds and the creation of a perpetual trust, referred to the executive committee, 139-
report accepted, order passed, 140

Wamsley, H. P., et al.

petition protesting against gasoline tank at Granite ave., 13

Ward, Michael J.

notice of appointment as soldiers' relief commissioner, placed on file, 160, 167

Warren, Charles H.

notice of appointment as assistant assessor, placed on file, 35

Warren (Samuel) Square. (See Squares, Naming and Renaming.)**Water Division. (See Public Works Department.)****Water Service. (See Public Works Department.)****Water Supply, Grove Street Grove. (See Public Works Department.)****Watson, James A., Councilor.**

appointed: committees, 15, 219

orders and resolves:

amount of relief to city poor, 76
approval of legislation concerning Boston, 299
change in name of bridge, 27
city charter legislation, 25
city tax limit, 7
compensation to Louise McGill, 70, 71
concerning county rule, 14
convention invitation, 33
cost of widening Cambridge st., 272
county employment office, 26
election of a president, 3
employees at automobile show, 36
garages in Boston, 97
health ordinance, 301
histories in schools, 223
histories of the United States in the public library, 247
improvement of Homestead Park, 59
information asked as to electric rates, 272
information concerning Cambridge st., 266
investigation of hospitals for insane, 278
laying out of Museum sq., 97
leave of absence for Spanish war veterans, 59
legislation concerning Thomas J. Gavin, 84
legislation for Joseph W. Murray, 91

Watson, James A., Councilor, continued.

legislation for reinstatement of Michael N. O'Meara, 97
legality of railway locations, 294, 295
legality of using municipal buildings, 271
legislation for Thomas Gaffney, 308
motion picture censorship 243
municipal building, Roxbury Crossing, 44, 46
municipal lighting plant, 7
municipal ownership, lighting plant, 4
naming of Corbett (William J.) sq., 167
naming of Crowley (Joseph C.) sq., 7
naming of Sullivan (James M. and John J.) playground, 91
naming of Sullivan (Richard J.) sq., 259
payment to Daniel Thompson, 14
pension for J. Alfred Mitchell, 308
pension for Mrs. Elizabeth J. Dineen, 7, 70
playground, Mattapan district, 3
playground, Ward 13, 48
possible appropriation for police band, 221
printing of Boston Post article, 217
printing of hearing, 266
printing of speech of W. Bourke Cockran, 231
reduction in lighting rates, 7
reinstatement of Thomas L. Brophy, 11
reinstatement of Fred L. Carroll, 54, 305
reinstatement of James F. Clark, 318
reinstatement of Richard J. Kelly, 7
removal of "American Wars" from library, 266
removal of certain books from schools, 239, 240
removal of convenience station, 249
removal of "The book of American wars," 211
removal of Webster's dictionary, 203
sanitary conditions, Boston Elevated Railway, 35
sidewalks, Dudley st., 161
sidewalks, Fairland st., 174
sidewalks, Florence st., 81
sidewalk, Henshaw st., 218
sidewalks, Humboldt ave., 116
sidewalks, Huntington ave., 271, 272
sidewalks, Morton st., 14
sidewalk, Peter Parley rd., 218
sidewalks, Rill st., 211
sidewalks, St. John st., 54
sidewalks, Wensley st., 91
viaduct over Boston & Albany yard, 58

remarks:

a statement, 289
action on constables, 93
amount of relief to city poor, 76, 77, 78, 79, 80
approval of appointments, 282, 283
approval of legislation concerning Boston, 299
building line, Province st., 184, 185
city charter legislation, 25, 26
coal situation, 115, 116
completion of strandway, 28, 29, 30, 31
constables' appointments, 108, 117
convenience station, East Boston, 51, 52, 53
county employment office, 26, 27, 47
Edison Electric Illuminating Co., 47
employees at automobile show, 36, 37
extension of term, commission on necessities of life, 82
hearing on school histories, 257
histories in schools, 223, 224, 225
histories of the United States in the public library, 247, 248, 249
information asked as to electric rates, 272, 273
investigation of hospitals for insane, 278, 279, 280
itinerant vendors' licenses, 251, 252
loan for Baldwin place playground, 134, 135
majority and minority reports, school histories, 298, 299
motion picture censorship, 243, 244, 245
municipal building, Roxbury Crossing, 44, 45
municipal lighting plant, 7, 8, 9
naming of boat, "Michael J. Perkins," 207, 208
naming of Connors (John J.) sq., 93
naming of Corbett (William J.) sq., 167
naming of Sullivan (James M. and John J.) playground, 91
payment of wages to per diem employees, 267
pension to Adeline F. D. Elkins, 54
possible appropriation for police band, 221, 222, 223
price of anthracite coal, 105, 106
printing of Boston Post article, 217
protest against discrimination at Harvard, 130, 131, 132, 133
removal of "American Wars" from library, 266
removal of certain books from schools, 240, 241
removal of "The book of American wars," 211, 212, 213, 214
removal of Webster's dictionary, 203, 204, 205, 206
retirement system, 174, 175
salary of probation chief, Sargent, increased, 232, 233
sanitary conditions, Boston Elevated Railway, 35, 36
settlement of Atlas Company claims, 198, 199, 200
sidewalk, Henshaw st., 218
speech of W. Bourke Cockran, 231
suppression of the Ku Klux Klan, 220, 221
taking of docking facilities, 54
transient vendors' licenses, 254
viaduct over Boston & Albany yard, 58, 59

Webster's Dictionary.

resolution regarding its removal from public libraries and schools, referred to the executive committee, 206

Weeks, A. S. Parker.

notice of appointment as assistant assessor, placed on file, 35

Weights and Measures Department.

deputy sealers: John J. Martin, appointed, 44; Edward J. McManus, appointed, 63

transfer from the reserve fund: message transmitting communication and order for \$1,600, referred to the executive committee, 236—report accepted, order passed, 242

Welcome to United States Soldiers.

message with order to extend invitation to participate in Memorial Sunday services, referred to the executive committee, 101—report accepted, order passed, 107

Westley Street, Ward 14.

sidewalks: order for construction, passed, 91

West Boston Bridge.

order as to the advisability of changing name to Longfellow Bridge, referred to the executive committee, 27

West End Street Railway Company.

grade crossing: notice authorizing use of, placed on file, 51

terminal changes: notice of approval, placed on file, 128

track locations and relocations: granted, 565th, Dorchester ave., placed on file, 63; 566th, corner Columbus ave. and Roxbury st., placed on file, 101; 567th, Roxbury st. at Eliot sq., placed on file, 101; 568th, Huntington ave., placed on file, 112; 569th, Brattle and Washington sts., placed on file, 112; 570th, corner of Washington st. and Talbot ave., placed on file, 128; 571st, corner of Harrison ave. and Kneeland st., placed on file, 160

West Milton Street, Hyde Park.

order for laying out, passed, 60

White, Mrs. Eva W.

notice of appointment as member of Boston conservation bureau, placed on file, 242; approved by civil service commission, placed on file, 265

Wilson, Herbert A.

notice of resignation as building commissioner, placed on file, 70

Winthrop Square, Charlestown.

order for change of name to John J. Connors sq., referred to the executive committee, 93

Wood and Bark, Measurers of.

CLARK, JOHN J.: appointed, 143—confirmed, 164
 COAKLEY, JOHN P.: appointed, 143—confirmed, 164
 DOHERTY, JOHN E.: appointed, 143—confirmed, 164
 DONEGAN, J. EDWARD: appointed, 143—confirmed, 164
 DUNN, GRANT: appointed, 143—confirmed, 164
 GERRISH, WILLIAM E.: appointed, 143—confirmed, 164
 GOOD, ERNEST C.: appointed, 143—confirmed, 164
 GOULD, IRVING A.: appointed, 143—confirmed, 164
 GRIFFIN, GEORGE F.: appointed, 143—confirmed, 164
 JAMESON, SILAS N.: appointed, 216—confirmed, 228
 JOHNSON, RALPH: appointed, 143—confirmed, 164
 KEARNS MARTIN J.: appointed, 143—confirmed, 164
 LEONARD, WILLIAM J.: appointed, 143—confirmed, 164
 MCCANN, MICHAEL J.: appointed, 143—confirmed, 164
 MCCARTHY, JUSTIN: appointed, 143—confirmed, 164
 MILLER, WILLIAM G.: appointed, 143—confirmed, 164
 MURPHY, JAMES: appointed, 143—confirmed, 164
 RIPLEY, WALTER C.: appointed, 143—confirmed, 164
 SECOR, GEORGE D.: appointed, 143—confirmed, 164
 SEGEE, FREDERICK R.: appointed, 143—confirmed, 164
 SIBLEY, WINTHROP E.: appointed, 154—confirmed, 169
 WRIGHT, ALLAN: appointed, 143—confirmed, 164

Woodbine Road, West Roxbury.

order for laying out as a public street, referred to the executive committee, 71—report accepted, order passed, 71

Woodman Street, Ward 22.

sidewalks: order for construction, passed, 195

Wordell, Arthur A.

notice of retirement as probation officer, referred to the committee on county accounts, 13; report with order for retirement, report accepted, order passed, 218

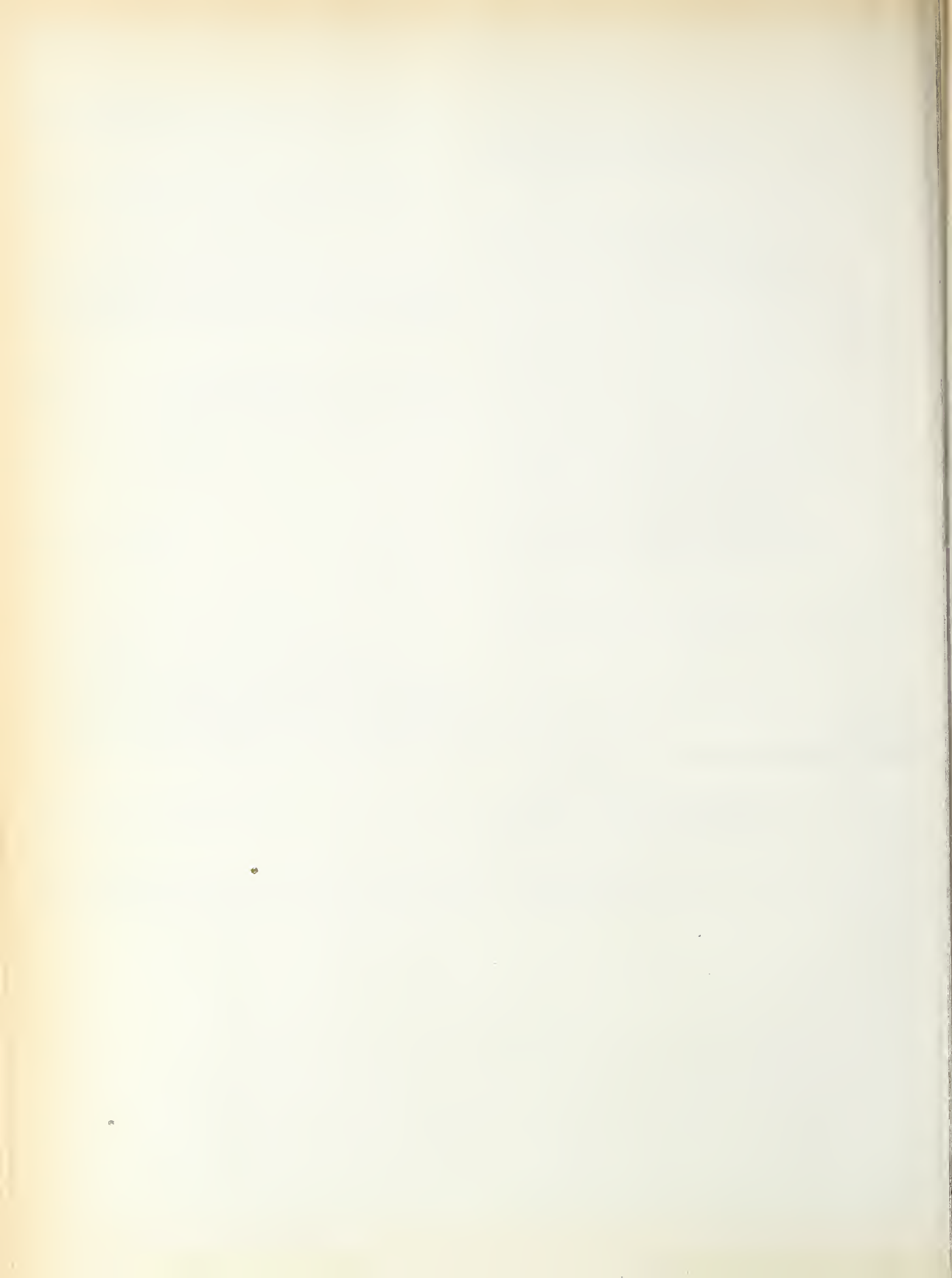
Workingmen's Loan Association.

Frederick M. J. Sheenan, appointed director, 138

Wynter, Sylvester J.

resolution favoring legislation for reinstatement, in the fire department, passed, 315





CITY OF BOSTON.

Proceedings of City Council.

INAUGURAL EXERCISES.

Monday, February 6, 1922.

The first meeting of the City Council of 1922 was held in Mechanics Hall, Huntington avenue, Boston, at 10.30 a. m., all the members and members-elect for 1922 being present.

Senior member Couu. HAGAN took the chair and called the members to order at 10.20 a. m., as follows:

Ladies and Gentlemen.—We are assembled here this morning for the purpose of inaugurating a Mayor for the ensuing four years and three newly elected members of the City Council for a period of three years. The Chair appoints Couu. Watson and Ford a committee to escort the Mayor and officials to the platform.

The said committee retired at 10.21 a. m. and presently returned, escorting Mayor-elect Hon. James M. Curley and suite, including ex-Mayors Thomas N. Hart and Daniel J. Whelton, and Chief Justice Arthur P. Rugg to the platform.

Mgr. John B. Peterson prayed:

In the name of the Father, and of the Son and of the Holy Ghost, Amen. Almighty and eternal God of our fathers, graciously hear our prayer. We ask Thy blessings on our beloved city, whose motto gratefully acknowledges Thy favoring governance in days past and reverently affirms the hope of its ever enduring "*Sicut patribus, sit Deus nobis.*"

In this humble recognition of Thy Providence, we beseech Thee to bless again our city, to protect it, to prosper it, to unite in growing harmony its multiplying citizens, to preserve its peace. "Unless the Lord keep the city, they watch in vain who keep it."

We ask Thee this day particularly to bless our newly chosen rulers. Help them and us to cherish and exemplify every civic virtue. God of Justice, fortify them by Thy grace in their pledge of just and faithful stewardship; that they may rule in justice, and grant to all whom they serve the spirit of a fair and heartening fealty.

God of Truth, illumine by Thy light the way before them, and that they may steadfastly lead us aright; spare them the trial of beguilement by those who tolerantly would call evil good and of disheartenment by those who would call good evil.

God of Love, grant us all the grace to grow constantly in neighborly friendliness, good will and mutual understanding, and thus may we be able—our city, its rulers and its people—to grow in charity, fulfilling Thy law and thus deserving to have renewed in our day the blessings bestowed by Thee upon our fathers.

We beg these blessings in Thy Son's name and in the prayer by which He taught us how to tell our needs to Thee:

Our Father, Who art in Heaven, hallowed be Thy name: Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread; and forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. Amen.

At the conclusion of the prayer City Clerk Donovan read a communication from the Election Commissioners certifying the election of Hon. James M. Curley to the office of Mayor of the City of Boston for four years. (Applause.)

The oath of office was administered to Mayor-elect Curley by Hon. Arthur P. Rugg, Chief Justice of the Supreme Court of Massachusetts, after which a little girl presented a bouquet of flowers to the Mayor. City Clerk Donovan then called the roll of the members-elect of the City Council—Messrs. William J. Walsh, John A. Donoghue and George F. Gilbody—and the oath of office was administered to said members-elect by the Mayor.

Chairman HAGAN—I now have the honor to introduce to the City Council and to this gathering of citizens his Honor Mayor James M. Curley, who will deliver his inaugural address. (Great applause and cheering.)

The members-elect took their seats with the other members of the council, and his Honor Mayor Curley read his message, as follows:

Gentlemen of the City Council:

The City of Boston is entering upon the second century of its existence as a municipality and it is for us to determine by our acts whether we shall measure up to the inspiring traditions of which we are eustodians.

The misunderstandings between the retiring Mayor and the Finance Commission as to the financial condition of the City make it desirable that expert accountants be employed at once to determine the facts.

The report as to finances, when received, should be of value to the public from the standpoint of truth and to the City Council in determining their course of action.

We are jointly charged with the responsible duty of preserving and perpetuating humanitarian, patriotic, educational, commercial and industrial traditions greater than ever achieved in any other American municipality.

The success we attain will be determined, in large measure, by the co-operation which we receive from the entire citizenship rather than by our individual or collective efforts.

Boston has ever been pre-eminent for wise and courageous leadership in the fields of commerce and industry, and the courage and hardihood of her citizens in the early days made the American flag a familiar emblem in every harbor of the world. The same sturdy manhood and splendid leadership made possible not only the winning of the West but the development of its resources. We need men of that manhood and mentality, coupled with a confidence in our industrial and commercial possibilities, to regain the position and prestige formerly enjoyed.

Boston, unfortunately, has long been considered by the law-makers of the State purely as a political pawn whose commercial needs have been disregarded and whose industrial welfare was of little moment.

Great importance has been attached to the fact that Boston is one day nearer to Europe than any other port on the Atlantic coast, and yet, notwithstanding this knowledge, at the present time we have made but feeble attempt to capitalize this strategic commercial position which is ours.

The present high freight rate operating to the disadvantage of Massachusetts, and more particularly Boston, to which, in some measure, may be traced the present industrial depression, can only be overcome by commercial development through which the handling of raw material by water may be possible.

The evidences of readjustment and resumption of business activity throughout the world is increasing each day and should impel us to speedily adopt a constructive commercial program which should merit the support of the entire Commonwealth.

The policy of expending public funds for every conceivable purpose, other than the promotion of industry and commerce, must end.

The lack of continuity of administrative policy due to successive changes in administrations has a most important bearing on the industrial and commercial life of the city, which after all should be regarded as a going business institution.

I personally believe that the time has arrived for enlarging the personnel and powers of the Boston Planning Board as, in my opinion, this Board should be representative of the industrial, commercial, religious, financial, labor and educational organizations of our city.

It should be provided with sufficient funds to conduct a campaign for the purpose of promoting both industry and commerce and for a comprehensive investigation as to ways and means of increasing municipal revenues and reducing municipal expenditures, to the end that our present per capita cost of municipal administration in Boston shall no longer serve as a detriment to industry already located here, or a barrier to industries seeking a fruitful field for investment which are now located elsewhere.

The welfare of the people demands the immediate restoration of the five-cent street car fare in Boston, since the present system imposes a daily burden on those less able to assume the same, while permitting those who benefit most from adequate street railway transportation to almost wholly escape a just portion of the cost.

Street railway transportation, in my opinion,

has ceased to be a non-essential and is today as necessary as public water, sewerage, lighting and education.

It accordingly is my purpose to instruct the Corporation Counsel to present to the Legislature such measures as may be necessary to provide, within the present year, a five-cent fare for that portion of the Boston Elevated system operating within the limits of Boston.

I want to say just one word in this connection. With a view to obtaining the services of a gentleman who is considered perhaps the most eminent attorney in Massachusetts, I tendered the position of Corporation Counsel to Sherman L. Whipple. (Applause.) Mr. Whipple was unable to accept, but agreed to serve without expense to the city in endeavoring to obtain, and he is confident that he can bring about, a restoration of the five-cent fare in Boston. (Great applause and cheers.)

The results achieved at the Health Unit in the West End of Boston have not only demonstrated the necessity for a continuance of this unit, but have furnished convincing proof of the imperative need of additional units throughout the city.

The experiment made at Morton street in the North End in the substitution of a health-giving park for disease-breeding, congested tenement property has, in the past five years, proven its value to such a degree as to make of the precedent a fixed policy, and it is my purpose to recommend to your honorable body the expenditure, annually, during my term as Mayor, of a substantial amount for the razing of unhealthful tenement property and the establishment in place thereof of playgrounds for women and children.

The completion, at an early date, of the Strandway development at South Boston is essential, as this work, if carried on now, will provide opportunities for a livelihood to a large number of unskilled workers and, in a measure, tend to relieve unemployment, in addition to making possible what should ultimately prove to be the best playground in New England.

That every opportunity may be afforded the public to enjoy to the fullest degree the benefits and beauties of our park system, I recommend additional motor roads through Franklin Park and the substitution of granolithic sidewalks for the present loam and gravel sidewalks which, due to weather conditions, are suitable for public travel less than fifty per cent of the time.

The widening of Chelsea street has been in progress for a period of more than five years and it is imperative that this work be completed at the earliest possible date.

I favor the creation of a municipal employment bureau as a means of aiding the service man to maintain his American independence and his family without aid from the municipality.

Through the agency of a municipal employment bureau it should be possible to reduce expenditures in the Soldiers' Relief Department by a large sum annually, and from the important standpoint of opportunity for a livelihood make American citizenship more desirable by aiding only those who are citizens.

The neglect of Federal authorities is reflected in an increased cost of the Soldiers' Relief Department that is alarming.

It is all very well to talk Americanism. But to the returned service man who finds his old position in private life pre-empted by a less patriotic man and at a loss for direction, it is tragic.

The question of justice for the soldier is vital and early action is essential, if patriotism is to be fostered and American institutions safeguarded.

The termination of the World War found America helpless so far as providing proper accommodations for those men maimed in the service, and criminally negligent in the matter of bonus payment.

In event of the Federal Government abandoning West Roxbury Hospital, I favor the transfer of the poor to this property so admirably located, where, in the twilight of their existence, they can see the happy boys and girls at play and live over against the joys of boyhood and girlhood as they pass into the shadows.

It is advisable that chronic cases be treated at Elks Hospital, Parker Hill, where every facility is available, rather than at Long Island, where physicians and surgeons find it impossible to attend except on rare occasions, and where visits must be of short duration, due to the time consumed going to and from the island.

The abandonment of Long Island should present

an opportunity for the Commonwealth to seriously consider this property as an ideal site for a state prison, affording as it does abundant opportunity for useful outdoor labor.

I have long cherished the hope that a little more of human kindness might enter into our treatment of the unfortunate poor and those in the community afflicted with chronic ailments, both of whom are at present sent to Long Island, where, without the cheering visits of friends or the opportunity to see other than the bleak and dreary prospect that a harbor island three miles from the mainland has to offer, they patiently await what, to them, is the welcome coming of the "Angel of Death."

There is no city in America that boasts a larger number of intelligent and philanthropic women and men banded together in organizations for the good of humanity than in Boston.

It is imperative, both as a health measure and as a sound business proposition, that, at the earliest possible date, arrangements be made for the Health Commissioner to co-operate with and the Health Department act as a clearing house for all organizations now engaged in health activities.

The problems presented by the limited examination I have been able to make, supplemented by the data received relative to the needs of various city departments, present a situation that gives just cause for apprehension to every taxpayer anticipating relief from the present high tax rate.

School expenditures have increased 91 per cent during the past four years, or \$6,729,765.99.

1917.....	\$7,362,974 00
1921.....	\$14,092,739 99

The Police Department, Fire Department, County departments, Soldiers' Relief, Public Welfare and interest on outstanding indebtedness have increased the cost of administration to such an extent as to make necessary immediate retrenchment wherever possible.

All persons in the employ of the city are entitled to just treatment and the city is entitled to an equitable return for the salaries paid.

Employment with the city is attractive not only because of the permanency but because of the guaranty in many departments of pension when the individual has become incapacitated either through injuries or advancing years; consequently it is but reasonable to demand that all persons in the employ of the city shall work the full number of hours required in the department where they may be employed.

It would be advisable for all persons in the employ of the city who cannot comply with the requirements as here outlined to tender their resignations at an early date, as my time will be sufficiently employed at more important work than hearkening to the pleas of well-intentioned, if not truthfully informed, political ambassadors.

Having taken the oath of office to serve faithfully and impartially the people of Boston, I desire at this time to serve notice upon all persons doing business with the city during the next four years that they will be required, so far as lies within my power to compel them, to live up to their contracts or agreements and give the city one hundred cents in value for every dollar paid out.

Any person, firm or corporation failing to comply with the above stipulation will be deprived of the privilege of doing business with the City of Boston, and any employee of the city found aiding or abetting any firm, individual or corporation in depriving the city of full value will be summarily removed.

I have no illusions relative to the task confronting me as Mayor and the present state of the city financially, commercially and industrially.

It is a situation which no man unaided can overcome.

The co-operation of the City Council, the press and the entire public is imperatively essential for the solving of our present problems, whose right solution mean so much not only to the present generation but to posterity.

Ours is indeed a tremendous responsibility and a prodigious task, and beneficial results are only possible provided the Legislature ceases undue, unwarranted and unwelcome interference with Boston in the conduct of its own business.

God grant us the wisdom and strength to honorably serve and intelligently solve the problems that confront us at the dawn of the second century of the existence of Boston as a city.

At the conclusion of the Mayor's address, which was applauded by the audience, Chairman HAGAN said:

Ladies and gentlemen, the purpose for which we assemble here this morning having been accomplished, the meeting is now dissolved. Members of the City Council will immediately assemble in the Council Chamber in City Hall.

The Mechanics Building meeting was concluded at 11.05 a. m.

MEETING OF THE CITY COUNCIL.

The members of the Council proceeded to the Council Chamber, City Hall, and were called together by Coun. HAGAN, senior member, at 11.50 a. m.

The roll was called, and all nine members—Councilors Brickley, Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty, Walsh and Watson—were found to be present.

Coun. HAGAN.—A quorum being present, the Council will now proceed with the regular order of business.

APPROPRIATION FOR EAST BOSTON TUNNEL DEBT.

The following was received:

City of Boston

Office of the Mayor, February 6, 1922.

To the City Council:

Gentlemen,—I am submitting herewith an order for an appropriation of \$6,843 to meet in part the expenses during the financial year beginning February 1, 1922, for interest and sinking fund requirements on the East Boston Tunnel debt.

I respectfully request the immediate passage of this order in order that the system adopted several years ago of discontinuing the collection of tolls in connection with the East Boston Tunnel be maintained.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That to meet in part the expenses during the financial year beginning February 1, 1922, for interest and sinking fund requirements on the East Boston Tunnel Debt, issued under authority of chapter 548, Acts of 1894; chapter 500, Acts of 1897; chapter 190, Acts of 1903, and Chapter 187, Acts of 1905, the sum of six thousand eight hundred forty-three (6,843) dollars be and hereby is appropriated, and that said amount be raised by taxation upon the polls and estates taxable in the City of Boston.

The order was given its first reading and passage, yeas 9, nays 0.

CLOSING OF PASSAGEWAY, CHAMBER OF COMMERCE BUILDING.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1922.

To the Honorable the City Council:

The Boston Chamber of Commerce, through a realty trust formed for the purpose, has acquired more than half of the land contained in the block bounded by Federal, Franklin and Congress streets and Matthews square, with the intention of erecting thereon a modern office building of the finest type, the upper stories of which will be occupied by the Chamber of Commerce.

In order to construct upon this land a building which, under the present relatively high cost of building construction, may be expected to yield a return upon the money invested in it—and the money to erect the building cannot, of course, be obtained on any other basis—it is necessary to discontinue the passageway through this property, which for many years has been used merely for the delivery of good to, and the taking of goods from, the properties abutting thereon, and thus make possible the construction of a continuous building; and this has been agreed to by all the other owners of property in this block.

In view of the desirability of doing everything which can reasonably be done to revive building construction, of the large number of men for whom erection of the proposed building, which will be one of the very largest in the city, will

furnish employment, and the large increase in taxable property which will result, both from the construction of the building itself and from the increase in value of properties adjacent thereto, it has seemed to the Board of Street Commissioners to be in the public interest that the passageway through the property acquired as a site for the proposed building should be discontinued; and the Street Commissioners have passed an order for its discontinuance.

A portion of Leather square, over which the proposed building would extend, was conveyed to the City of Boston by deed for street purposes—for which purpose it is, in the opinion of the Street Commissioners, no longer of any value to the city. The Mayor and City Council, only, have authority to release the city's claim to this strip of land. For the reasons which actuated the Street Commissioners in passing the order of discontinuance—in which reasons I fully concur—I recommend the passage by the City Council of the inclosed preambles and order authorizing me, in the name and behalf of the city, to release and quitclaim all the right, title and interest, if any the city has, in the strip of land in question.

Respectfully submitted,
JAMES M. CURLEY, Mayor.

Whereas, William B. Spooner conveyed to the City of Boston a certain strip of land for the purpose of widening Sister street, now known as Leather square, by a deed recorded in Suffolk Deeds, Book 706, page 134; and

Whereas, The Board of Street Commissioners have passed an order for the discontinuance of the street over said strip of land; it is hereby

Ordered, That his Honor the Mayor be and hereby is authorized and empowered, in the name and behalf of the City of Boston, upon the payment to the city of the amount (\$4,095.68) paid by it for said strip of land, and by a deed in form satisfactory to the Law Department, to release and quit claim to the Trusets of the Boston Chamber of Commerce Realty Trust, the owners of the adjacent land as successors in title to said Spooner, all the right, title and interest of the City of Boston in and to said strip of land.

The order was given its first reading and passage, yeas 9, nays 0.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, February 6, 1922.

To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I hereby appoint Michael B O'Donnell, 58 South Huntington avenue, Boston, to the position of Constable of the City of Boston for the term ending April 30, 1922.

Respectfully yours,
JAMES M. CURLEY, Mayor.
Laid over under the law.

VOTE FOR PRESIDENT.

Coun. WATSON offered an order—That the Council proceed to the election of a president for the ensuing year.

The order was passed, and the Clerk called the roll, with the following result.

For David J. Brickley—Coun. Brickley, Ford and Moriarty—3.

For John A. Donoghue—Coun. Donoghue, Walsh and Watson—3.

For Daniel W. Lane—Coun. Gilbody, Hagan and Lane—3.

And there was no choice.

PLAYGROUND, MATTAPAN DISTRICT.

Coun. WATSON offered an order—That the sum of \$50,000 be and hereby is appropriated for a playground in the Mattapan district, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

The order was declared referred to the Committee on Finance, when appointed.

Coun. FORD—Mr. President, it may be a good

idea, because of the promise that Coun. Watson made, to give that order its first reading and passage today, just as we did in the case of the order that would otherwise have been referred to the Committee on Public Lands, when appointed. I think we will make more progress by such action and, if agreeable, I would move a reconsideration of the reference so that the order may be put upon its passage at this time.

Coun. WATSON—Mr. President, I appreciate the suggestion and ask that that be done.

The reference was reconsidered and the order was given its first reading and passage, yeas 9, nays 0.

MUNICIPAL OWNERSHIP, LIGHTING PLANT.

Coun. WATSON offered an order—That the Executive Committee, or a committee with like power, be instructed to consider ways and means to provide for municipal ownership and operation of electric lighting plants, and to report thereon at its earliest convenience.

Passed.

SPECIAL ELECTION, WARD 10.

Coun. MORIARTY offered the following:

Ordered, That meetings of the citizens of Ward 10, qualified to vote for state officers, be held in the several polling places designated for the purpose by the Board of Election Commissioners on Tuesday, February 21, 1922, to give in their votes for one representative to the General Court, to fill a vacancy. The polls at said meetings will be opened at six o'clock a. m., and closed at 4 o'clock p. m.

Ordered, That the City Clerk be directed to give notice of said meetings by publishing the same as required by law.

Passed.

COMMITTEE ON RULES.

Coun. MORIARTY offered the following:

Ordered, That a special committee of three members be appointed to consider such matters relating to rules as may be referred to said committee from time to time.

Passed.

MUNICIPAL REGISTER.

Coun. MORIARTY offered the following:

Ordered, That the Statistics Department be authorized, under the direction of the Committee on Rules, to prepare and have printed the Municipal Register for 1922, and that the Clerk of Committees be authorized to prepare and have printed a pocket edition of the organization of the city government and heads of departments, the expense thus incurred to be charged to the appropriation for City Documents.

Passed.

MUNICIPAL EMPLOYMENT BUREAU.

Coun. BRICKLEY offered an order—That his Honor the Mayor be requested to take immediate steps to establish a free municipal employment bureau.

Passed.

NEW CITY HALL.

Coun. BRICKLEY offered an order—That his Honor the Mayor be requested to take such steps as may be necessary to provide a new building for City Hall and a municipal auditorium.

Passed.

SALE OF UNCLAIMED BAGGAGE.

Coun. BRICKLEY offered the following:

Ordered, That a special committee be appointed, to consist of two members of the Council, to whom shall be referred all petitions for leave to sell unclaimed baggage, and said committee is hereby authorized to make in each case the examination required by law.

Passed.

MUNICIPAL BUILDING, BRIGHTON.

Coun. WALSH offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to furnish the City Council with an estimate of the cost of providing a site and erecting a municipal building in the Brighton district.

Passed.

RULES ADOPTED.

Coun. DONOGHUE offered the following:

Ordered, That the rules of the City Council of 1921 be hereby adopted as the rules of the City Council of 1922.

Passed.

INCREASE IN SALARIES OF DOCTORS AND NURSES.

Coun. DONOGHUE offered an order—That his Honor the Mayor be requested to consider the advisability of increasing the salaries of doctors and nurses in the employ of the city.

Passed under a suspension of the rule.

UNFINISHED BUSINESS TO COMMITTEES.

Coun. GILBODY offered the following:

Ordered, That all matters referred as unfinished business from the City Council of 1921 be referred to the appropriate committees of the City Council of 1922, when appointed.

Passed.

LICENSES FOR JITNEYS.

Coun. LANE offered the following:

Ordered, That a special committee, to consist of five members of the City Council, be appointed to consider and report on all applications for licenses to operate jitneys, so called.

Passed.

APPROVAL OF CONSTABLES' BONDS.

The constables' bonds of Lionel de Jersey Greene, Frederic J. Lundy and Joseph W. Bennett being received with the approval of the City Treasurer, were approved by the Council.

SECOND AND THIRD VOTES FOR PRESIDENT.

On motion of Coun. FORD the Council voted to take another ballot for president for the ensuing year.

The Clerk called the roll, with the following result:

For David J. Brickley—Coun. Brickley, Ford, Moriarty—3.

For John A. Donoghue—Coun. Donoghue, Walsh, Watson—3.

For Daniel W. Lane—Coun. Gilbody, Hagan, Lane—3.

And there was no choice.

Coun. WATSON—Mr. President, in view of the fact that there appears to be a deadlock for the presidency at the present moment, I move, sir, that the temporary chairman be instructed to appoint an Executive Committee composed of the entire Council and that the chairman of that committee be designated by the chairman. I make that as a motion.

The motion was carried.

Coun. WATSON—Mr. President, I move that we proceed to ballot for a president of the Council for the year 1922.

The motion was carried, and the Clerk called the roll with the following result.

For David J. Brickley—Coun. Brickley, Ford, Moriarty—3.

For John A. Donoghue—Coun. Donoghue, Walsh, Watson—3.

For Daniel W. Lane—Coun. Gilbody, Hagan, Lane—3.

And there was no choice.

RECESS.

Coun. WATSON—Mr. President, I move that the Council take a recess subject to the call of the Chair, in order that we may try to come to an understanding on the presidency.

The motion was carried, and the Council took a recess from 12.25 to 12.49 p. m., when Coun. HAGAN again called the body to order.

FOURTH VOTE FOR PRESIDENT.

Coun. MORIARTY—Mr. President, I move that we proceed to the election of a president for the ensuing year.

The motion was carried, and the Clerk called the roll, with the following result.

For David J. Brickley—Coun. Brickley, Ford, Moriarty—3.

For John A. Donoghue—Coun. Donoghue, Walsh, Watson—3.

For Daniel W. Lane—Coun. Gilbody, Hagan, Lane—3.

And there was no choice.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration of all action taken today, hoping the same would not prevail. Lost.

Adjourned, on motion of Coun. Watson, at 12.50 p. m., to meet on Monday, February 13, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 13, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., Coun. HAGAN, senior member, presiding and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. David Francis Supple, 50 Southern avenue, Dorchester, to the position of Constable of the City of Boston.
2. Melville R. Eastman, 142 Dorchester street, Ward 10, to the position of Constable of the City of Boston.
3. Philip Berwin, 1056 Commonwealth avenue, Ward 25, to the position of Constable of the City of Boston.
4. Joseph Park Silsby, 6 Haley street, Roxbury, to the position of Constable of the City of Boston.
5. Martin F. Mullen, 751 East Fifth street, South Boston, to the position of Constable of the City of Boston.
6. Arthur Francis Lane, 25 Chaucer street, East Boston, to the position of Constable of the City of Boston.
7. George Brunswick Mullay, 32 Parker street, Charlestown, to the position of Constable of the City of Boston.
8. BARNED SINGER, 187 Bernard street, Dorchester, to be a Weigher of Coal.
9. Edwin A. Hilton, 41 Oakes street, Everett, to be a Weigher of Goods.
10. Henry M. Ahearn of Cohasset, Mass., to be a Weigher of Goods.
11. Ervin Davis of 489 Summer street, Boston, to be a Weigher of Goods.
12. Weighers of Coal for the term ending April 30, 1922: Miss Jennie Levenson, 22 Shelby street, East Boston; Jacob Groinan, 189 Trenton street, East Boston; Matthew Dinsfriend, 9 Wave Way avenue, Winthrop. Laid over under the law.

ACCEPTANCE OF RESIGNATIONS.

The following were received:

City of Boston,
Office of the Mayor, February 7, 1922.
James Donovan, Esq.,
City Clerk, Boston 9, Mass.:
Dear Sir,—You are hereby notified that the following resignations have been received and accepted as of February 6, 1922:
-Thomas C. O'Brien, Institutions Commissioner.

James E. McConnell, Park Commissioner.
Very truly yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of the Mayor, February 10, 1922.
James Donovan, Esq.,
City Clerk, Boston 9, Mass.:

Dear Sir,—You are hereby notified that the resignation of Ralph Harrington Doane as Schoolhouse Commissioner has been received and accepted, to take effect today.

Very truly yours,
JAMES M. CURLEY, Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Co-operative Grocery Stores Company, for compensation for a window at 6 Dundee street, broken by a loose paving block.

Gaynor Lunch Company, Inc., for compensation for damages at 648 Main street, caused by defective sewer connection.

Margaret Greer, for compensation for damage to chimney by Park Department employees at 376 Main street.

J. R. King, to be paid for a coat torn on a wire tree guard at 390 Commonwealth avenue.

Mrs. David Leary, for compensation for injuries caused by a hole in crosswalk at Bunker Hill and Sprague streets.

Mary A. and Katherine F. McArdle, for compensation for damages at 4 Carney street by the loosening of a city lamp bracket attached to said house.

Mae J. Morgan, for compensation for injuries received from a fall on steps leading from Bosworth street to Province street.

Joseph Rubenstein, for compensation for damage to automobile by fire apparatus.

Frances A. Waldron, for compensation for damage to car by its being run into by a city ash wagon.

Nellie Wallace, for compensation for injuries caused by a defect in roadway at 2981 Washington street.

Youlden, Smith & Hopkins, to be paid for a horse injured while crossing the bridge between Charlestown and Everett.

County Accounts.

Communication from the chief justice, determining the salary of the chief probation officer.

Executive.

Gertrude A. Goodman, for permit for children under fifteen years of age to appear at Dorchester Women's Club Hall, February 17.

MINORS' LICENSES.

Coun. HAGAN submitted reports on petition for minors' licenses for seventeen newsboys and one vendor—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

KEEPING AND SELLING OF GASOLENE.

A communication was received from the Street Commissioners, giving a list of names for permits to keep and store gasolene, viz.:

Herbert E. Blaisdell, 1575-1587 Blue Hill avenue, Ward 24, 1,000 gallons.

Mark Angel, 140 Granite avenue, Ward 20, 50,000 gallons gasolene, 5,000 gallons oil.

Sarah A. Landers, 1569 Blue Hill avenue, Ward 24, 2,000 gallons.

Chesley R. Marr, 447 Washington street, Ward 19, 1,000 gallons.

Referred to the Executive Committee.

INDEMNITY BOND.

Notice was received by the City Clerk from Deputy Chief Engineer John L. Howard of the Metropolitan District Water Division, submitting bonds of indemnity for work at Chestnut Hills pumping stations.

Placed on file.

TEMPORARY APPOINTMENTS.

Notice was received by the City Clerk from the Mayor of the following temporary appointments, viz.:

Dr. John F. O'Brien, Health Commissioner.

Dr. John F. O'Brien, Institutions Commissioner.

John H. Dunn, Superintendent of Printing.
John H. Dunn, Schoolhouse Commissioner.
Placed on file.

APPOINTMENTS BY THE MAYOR.

Notice was received from the Mayor of the following appointments, certified copies of the same having been sent to the Civil Service Commissioners, viz.:

Joseph A. Rourke, Commissioner of Public Works.

John J. Curley, City Treasurer.

Rupert S. Carven, City Auditor.

William J. Casey, Institutions Commissioner.

Francis X. Mahoney, M. D., Health Commissioner.

Edmund L. Dolan, City Collector.

John J. O'Hara, Superintendent of Printing.

Thomas P. Glynn, Schoolhouse Commissioner.

E. Mark Sullivan, Corporation Counsel.

Placed on file.

JOSEPH C. CROWLEY SQUARE.

Coun. WATSON offered an order—That the open space at the junction of Rutherford avenue and Devens street, Charlestown, be named Joseph C. Crowley square, in memory of the said Crowley, who lost his life in the United States service during the World War, and that said space be suitably designated by signs.

Passed under a suspension of the rule.

PENSION FOR MRS. ELIZABETH J. DINEEN.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation to continue the payment of a pension to Elizabeth J. Dineen, widow of Daniel T. Dineen, a member of the Fire Department, who died from injuries received in the performance of his duty.

Passed under a suspension of the rule.

REINSTATEMENT OF RICHARD J. KELLY.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation to authorize the Commissioner of Public Works to reinstate Richard J. Kelly, formerly an employee of said department.

Passed under a suspension of the rule.

CITY TAX LIMIT.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston hereby places itself on record as favoring the passage of House Bill No. 946, relating to the tax limit in the City of Boston.

Passed, yeas 9, nays 0.

REDUCTION IN LIGHTING RATES.

Coun. WATSON offered an order—That his Honor the Mayor be requested to direct the Corporation Counsel to appear forthwith before the Department of Public Utilities and request a reduction in the price of gas for the people of Boston, as it is the opinion of the City Council that a reduction should be made.

Passed.

MUNICIPAL LIGHTING PLANT.

Coun. WATSON offered an order—That his Honor the Mayor be requested to send an

order to the City Council recommending an appropriation of \$5,000, to be expended by the Executive Committee of the Council, when appointed, for the purpose of securing information as to the establishment of a municipal electric lighting plant, and for obtaining any information pertaining thereto that may be of benefit to the inhabitants of the City of Boston.

Coun. WATSON—Mr. President, I noticed that a titter went up when the \$5,000 was mentioned. I was half inclined to smile myself, but not for the reason that some of these kidders laughed. I have no apology, and I don't think any other member of this body has, for the \$5,000 appropriated for the trip that the Council last year made to the Middle West to look into the lighting situation. What the members of this body here last year, mostly comprising the membership of this year, found was the foundation of the voluntary reduction by the Edison Company in the price of electricity to the consumers of Boston, and of that \$5,000 we returned \$1,500. Notwithstanding the fact that some members ridiculed the trip, we brought back, in the vernacular of the day, the bacon, in the way of information that convinced members that their information concerning public ownership of lighting plants was correct. It is true that his Honor the Mayor vetoed the order that we passed to take the first step looking toward municipal ownership, but the veto was not an unfriendly veto; it was a lawyer's veto. The Mayor saw the danger of this body tying the city up to the buying of a plant at a greater price than should be paid for it. I have no criticism to make of Mayor Peters for his veto. I regret that he did not sign the order, so that we might take the first step this year and be a year nearer to public ownership in Boston. The purpose of this proposed \$5,000 appropriation which we request the Mayor to send an order for to this body is the same practically as the purpose of the \$5,000 appropriated last year. It is so that we may prepare ourselves to secure information vital to the conduct of this body in matters pertaining to electric lighting, and perhaps pertinent to the contracts of the Edison Company with the City of Boston for ten years to supply light for our city. I told the members of the body last year, when I asked that the Council have an opportunity to visit the Middle West to see public ownership in full operation, that I wished them to see the way the thing was being worked out with their own eyes; that, while I was convinced that public ownership of electric lighting was proper and right, I did not feel that it was fair to ask my colleagues to take my position in the matter at 100 per cent value. I wanted the two new members of the body, Coun. Walsh and Gillbody, and also Coun. Hagan, to see the thing in operation with their own eyes, the lighting situation in other great cities of this country, so that we might more intelligently consider the proposition, and I have the same feeling in regard to this order, so that all the members of the Council may be able to pass intelligently on the question of municipal ownership and operation of electric lighting plants in Boston, now before the Executive Committee. So much for the titter that went up from my associates. It is all right for them to titter, but let me tell them that by following me on this lighting situation they added a plume to their hats that they may be proud of. It took a dint of hard work to make certain members of this body see the thing in the proper light. Therefore I take the thing more seriously than some who titter. Now, this order is a legitimate one. I believe that our hands are going to be upheld by Mayor Curley. He has the confidence and respect of 74,000 who voted for him and at the present time of the great preponderance of those who voted against him. We are going to have the united backing of the people of Boston in this matter. The Edison people have only gone one step in what may be, and in my opinion will be, a hundred steps eventually, in reducing the price of electricity. I have read with much

interest about their voluntary reduction of price. I saw it in the *Herald*, which is not unfriendly to the Edison Company, judging from their editorial of today, which I will comment on in part for a moment. Mr. President, Mr. Edgar gets \$50,000 a year salary, with a drawing account of as much again for any purpose he wishes, an aggregate of nearly \$100,000 for him to use as he sees fit. For what? For giving interviews to the press and keeping the price of electricity up. He said among other things in his statement on the front page of the *Herald*, continued on the fourth page, that

"The present maximum rates of the companies supplying the four largest cities in the United States—that is, New York, Chicago, Brooklyn and Philadelphia—are more than 8 cents; for, although the New York rate is 7 cents plus a coal clause, now amounting to 5½ mills, the fact that the New York company does not supply lamps to its customers makes its rate equivalent to a rate in excess of 8 cents."

But Mr. Edgar failed to refer to Cleveland, with 800,000 population, and selling electricity at 3 cents per kilowatt hour for household purposes, electricity for light and cooking being supplied by the municipal lighting plant of the city of Cleveland at that rate. He also fails to refer to the private plant, the Cleveland Illuminating Company, which sells to the consumers in Cleveland, in competition with the public plant, electricity for 5 cents a kilowatt hour. He fails to refer to the city of Buffalo, with 500,000 population, where there is a monopoly, controlled by the Genesee Lighting Company, which sells electricity for 4 cents per kilowatt hour. But if he were asked how that was, he would explain the thing in his usual cunning way, "Why, that is hydro-electric power from Niagara Falls." Yes, Mr. Edgar, it is, but they use a steam plant where they burn coal to generate steam for electricity, having 90,000 kilowatts capacity, and they charge but 4 cents per kilowatt hour for that. They buy the other electricity from the Niagara Falls Hydro-electric Company, as middlemen, and are then able to sell it to the people of Buffalo for 4 cents a kilowatt hour. In Detroit, with its million population, the private company supplies electricity to the inhabitants for lighting purposes in their homes for 5½ cents per kilowatt hour. In Chicago, my friends and fellow members, the charge for street lights is \$49 per year per lamp, against \$79.10 here, from the private concern and the public concern. In Milwaukee they have their own lights, their own conduits and wires, and they buy their electricity from the private plant for 1½ cents per kilowatt hour. Mr. Edgar refers to Philadelphia, Chicago, Brooklyn and New York, and he does not know that Brooklyn and New York are one. He still thinks they are two separate cities. Yes, and Coun. Donoghue reminds me of something that had slipped my memory. The Edison Company here do not supply lamps for nothing. They charge, the same as the New York company does. I consider that Coun. Donoghue knows whereof he speaks, because he uses electricity in his business office. I use gas at home.

President HAGAN—And here, too.

Coun. WATSON—Brother Hagan, of shoe fame, says "and here, too." Well, as he is getting older, I trust that he will become more serious. Again I will try to impress on you, Mr. Presiding Officer, that I am serious in this proposition. I saw something today in the *American*. I do not always agree with what I see in the *American*. Sometimes I agree and sometimes I disagree, but it has been one of the great mainstays in this contest against crooked public service corporations, of which the Edison Company is a ringleader. I have here an editorial in today's *American*. Just think, the Edison Company have been charging the people \$53 a ton for coal for electricity generated by the state's drinking water. They have been robbing, plain larceny, deliberate stealing, from the electricity consumers of Boston. They

have been charging them under the coal charges for coal for electricity, and they have been buying from the New England Power Company, who generate their electricity at the Connecticut river and other rivers in the western part of the state,—charging for coal when coal is not used; deliberate, unadulterated and positive larceny, and if they never had the goods on them before for deliberate larceny, there is ground for an indictment today. You cannot indict a corporation, you can only fine them; but if Edgar and those with him in the combination that has been looting the public of Greater Boston since electricity has been used here in Greater Boston were doing business as individuals, the grand jury of Suffolk County, in my opinion, could indict them for grand larceny—charging for something they do not give. Then there is the conservative Boston *Herald*, which I read daily. I like to get the opposite side of a question from a biased source. The *Herald* has an editorial today headed, "The *Herald* and the Public Service Corporation," and I am going to pay the first tribute that I ever paid to the *Herald*, now. They are conservative and they do not deny that they are absolutely and positively against public control and operation of public service corporations. You would think they were talking of some individual. The editorial says, in part:

"You are all familiar with the recent activities in the Boston municipal council, which by a vote of 7 to 2 decided on the municipal operation of an electric light plant—a project which Mayor Peters wisely vetoed. Such a step would be in the highest degree calamitous. It would be retrogressive to our civilization. The *Herald* wants the Edison Company to continue to furnish the electric light to Boston as a municipality and to its citizens. And because we want it we feel that it is immeasurably more incumbent on us than on the advocates of government ownership to see that the Edison Company does its work in the right way always."

That is an admission by the Boston *Herald*, in my opinion, that the Edison Company has not done and is not doing business in a proper way. I might read all of the editorial. In fact, I will ask permission to have the stenographer print it in full, in order that we may refer to it at a later date.

The editorial referred to is in full as follows:

"THE HERALD AND THE PUBLIC SERVICE CORPORATION.

"The *Herald* opposes government ownership and operation of public utilities by either city or state or nation. This is its persistent policy. Never before in the history of the country did the need of this policy seem more impelling. To this policy we expect to adhere.

"It is incumbent on any newspaper entertaining this well-matured theory to see that the private ownership and operation of the great public utilities is reasonable, fair and effective. We cannot afford to let private operations prove otherwise. Our whole philosophy depends on the proper regulation by public authority—which we believe is as far as public authority ought to go—of those concerns which are in themselves natural monopolies and on whose service the entire community depends.

"Any newspaper which advocates public ownership of everything rests under no such obligation. It can complacently see private operation become as selfish and self-seeking as possible. Such tendencies, wherever they exist, furnish grist for the public ownership mill. They contribute arguments in that direction. They tend to convince the public that perhaps the only way for it to obtain its rights in a reasonable degree is through actual ownership or control.

"You are all familiar with the recent activities in the Boston municipal council, which by a vote of 7 to 2 decided on the municipal operation of an electric light plant

—a project which Mayor Peters wisely vetoed. Such a step would be in the highest degree calamitous. It would be retrogressive to our civilization. The *Herald* wants the Edison Company to continue to furnish the electric light to Boston as a municipality and to its citizens. And because we want this we feel that it is immeasurably more incumbent on us than on the advocates of government ownership to see that the Edison Company does its work in the right way always.

"Now many excellent citizens, readers of the *Herald*, make the point that our recent strictures on the situation, as Corporation Counsel Hill's investigations have disclosed it, should have awaited a conclusion of the case in which the Edison Company had itself put in all its testimony. But events were steadily reaching conclusions. The Edison Company itself had come forward with the so-called voluntary reduction of rates immediately applicable and with the implied promise of successive reductions in the future. Had not the time arrived when the public was entitled to know something of what it was all about? Should we not fail in our duty as interpreters of current events if we neglected an appraisal of the situation at such a crisis in its course as this?

"Because a newspaper is fundamentally conservative—as the *Herald* surely is—does not close its eyes to errors and omissions of capitalistic operation, if there be any. The best defence of the existing order against socialism, bolshevism, and all the vagaries of the day, lies in an intelligently critical attitude toward those concerns on whose operation under private ownership that policy must in the long run depend."

The Edison Company robs the small storekeeper who pays \$8, \$10, \$12 or \$15 a month for electricity the same as it robs others. It plays no favorites. It indulges in the same legalized, downright robbery, such as charging for coal that it has not used, as in cases where it buys electric power which is supplied by the New England Power Company. There is a concern that last year I did not name, but I am now going to name it, which has received some pretty stiff bills from the Edison Company. It is the Boston Ice Company, which has an artificial plant on George street, Roxbury. I have here the original bill of the Edison Company, charging \$1,800 under the coal clause, with a bill for electric lighting of \$2,000, making the bills for the month of November and December in the year 1920 nearly \$4,000. No, Mr. President, they don't play any favorites. I have letters in my possession from the All-American Shoe Company's stores, one on Washington street, sent by Mr. Wilson, who met me in Chicago in the presence of the present acting presiding officer, and talked with me in the lobby of the hotel and patted me on the back and encouraged me in this work. He gave me four letters in connection with four or five stores controlled and owned by the All-American Shoe Company, the old Rice & Hutchins Company, of which Mr. Hardy is manager. Their bill was doubled in the year 1920 because of the excessive coal charges, which the company now announces that it will voluntarily take off, and stating that it will reduce the price of electricity about 9 per cent. I predict that before Arthur D. Hill, who is looking after the city's interests together with the Boston *American* attorney, Grenville S. MacFarland, before the Public Utilities Commission, gets through, the Public Utilities Commission will order the Edison Company to reduce their charges for electricity to less than 8 cents per kilowatt hour. This fight before the Public Utilities Commission must not stop, fellow members. I believe that Mayor Curley will stand back of the prosecution there. I know he is now downstairs intending to do his duty as his conscience dictates, and all that he wants from us is a helping hand—which he is going to have from me, and I think from the balance of the members of this body. He is going to make good. He cannot make good unless the Edison Company and their like are driven to their lairs

and compelled to treat the consumers of electricity in Boston like human beings instead of a lot of cattle. I have confidence in Mayor Curley, confidence that he will make good. The 74,000 people who voted for him are looking upon him today with pride, and rightfully so, and they are going to continue to do so for the next four years, in my opinion. It is my intention to stand behind him in everything that he does for the interest of the city, and I will be the first to break with him the moment that he and I disagree honestly on a vital question. I hope that he will continue from the point where Mayor Peters left off, keeping the contest before the Public Utilities Commission going, thereby compelling the Edison Company to do the right thing. I might go on indefinitely, Mr. President. The Edison Company has now leased the Old Colony Lighting Company, the Somerset Lighting plant, the Old Colony Chambers Corporation. They run the Old Colony Apartments, at the corner of Somerset and Howard streets. They had their own plant there for generating electricity and had a contract to supply the Suffolk County Courthouse at 5 cents per kilowatt hour. That company bought the electricity from the Edison Company and then sold it to the County of Suffolk for 5 cents, and made a profit. How did they do it? The Edison Company has now leased the plant and controls the Old Colony Apartments, and is selling electricity to the county courthouse for 5 cents a kilowatt hour. How do they do it? The day they came out with their reduction they had reading notices galore, but they had paid advertisements on the front pages of the papers. Even the *American* carried their ads. They were in every paper in Boston, morning and night, and in every daily and weekly paper in Greater Boston. They were in weekly papers in Framingham, where they supply electricity, and in papers in Newton. In papers in every single place served by the Edison Company there appeared paid advertisements. The amount spent in that way must amount to \$50,000. And whose money was it? That of the consumers of electricity in Boston, their money. Oh, they have killed the goose that laid the golden egg. We see the same old gluttony, the same old selfishness. They were not satisfied with a reasonable return and with reasonable salaries. They were giving to Mr. Edgar \$40,000 a year, but now he must have \$50,000, getting that increase in less than three months. Everybody must get more. Mr. Ives must get more money. It is the same old story. They are drunk with power, drunk with greed. One word further, and I am through. I want the members of this body to know that Arthur D. Hill, the Corporation Counsel, sent me a personal letter in reply to one from me congratulating him on his work before the Public Utilities Commission, stating in substance that he appreciated my congratulations, but that for the efforts of others there would have been nothing done in the electric lighting matter, and that the credit was not all his, that the credit belonged to this body, the City Council. He paid a glowing tribute to the Council of 1921 for being the trail blazers and pioneers in the effort to bring the Edison Company to task and to explain the things it has done. At a later date I shall wish to have the Corporation Counsel's letter made a part of our records, because I want the members here to read it and to throw out their chests, as I threw out mine when I got it. This body has earned its salaries many, many times over in the last year on the lighting question alone. Mr. President, I don't know whether the members wish to have this order go to the Executive Committee or not. I don't really think there is any need of it, in view of the fact that it is simply a request of his Honor the Mayor. I trust that if it does go to the Executive Committee it will be reported back this afternoon, but I would move, if there are no objections, a suspension of the rule, that the order may be put upon its passage at this time.

President HAGAN—The Chair believes that this is a matter which should go to the Executive Committee, and he so refers it, unless the gentleman asks for a suspension of the rule.

Coun. WATSON—Do you object to the passage of the order at this time?

President HAGAN—I think it ought to go to the committee for consideration first.

Coun. WATSON—All right, sir.

The order was referred to the Executive Committee.

CLAIM OF D. DOHERTY.

Coun. GILBODY offered the following:

Resolved, That the City Council of Boston favors legislation to enable the City of Boston to reimburse the D. Doherty Company for losses sustained in delivering coal to the city for use in certain schools.

Passed under a suspension of the rule.

PAYMENT TO FATHER OF ROBERT SHEEHAN.

Coun. BRICKLEY offered the following:

Resolved, That the City Council of Boston hereby approves the enactment of legislation to authorize the city to pay a sum of money to the father of Robert Sheehan, who was accidentally shot during the riots in Boston on September 10, 1919.

Passed under a suspension of the rule.

REINSTATEMENT OF JOHN J. DOLAN.

Coun. BRICKLEY offered the following:

Resolved, That the Mayor and City Council of the City of Boston hereby approves the enactment of legislation to authorize the Commissioner of Public Works of the City of Boston to reinstate John J. Dolan, a former employee of said department.

Passed under a suspension of the rule.

PAYMENT TO MRS. WALKER A. SMITH.

Coun. BRICKLEY offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the payment to the widow of Walker A. Smith, formerly an employee of the Police Department of the City of Boston, of the balance of salary for the financial year 1921 which he would have received had he lived and served the city throughout that year.

Passed under a suspension of the rule.

DELAY IN BRIDGE COMPLETION, BRIGHTON.

Coun. WALSH offered an order—That the Corporation Counsel be requested to inform the City Council as to the cause of the delay in the completion of the alterations of the bridge by which Cambridge street crosses the Boston & Albany Railroad in Brighton.

Passed under a suspension of the rule.

ANNUITY FOR MRS. M. C. LEONARD.

Coun. FORD offered an order—That an annuity of \$600 be allowed and paid to the widow of Capt. Michael C. Leonard, late a member of the Fire Department, who died from injuries received in the performance of his duty, said payment to continue as long as said widow shall remain unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

PAYMENT TO PARENTS OF JOHN JOSEPH KELLY.

Coun. FORD offered the following:

Resolved, That the City Council of the City of Boston favors the enactment of legislation authorizing the City of Boston to pay a sum of money to the parents of John Joseph Kelley, a minor.

Passed under a suspension of the rule.

MUNICIPAL BUILDING, WARD 21.

Coun. MORIARTY offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of a municipal building and a suitable site in Ward 21, Dorchester.

Passed under a suspension of the rule.

INCREASE OF WARREN J. STOKES' PENSION.

Coun. MORIARTY offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation to increase the pension of Warren J. Stokes.

Passed under a suspension of the rule.

PENSION FOR MINNIE O. DUNTON.

Coun. MORIARTY offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing the payment of a pension to Minnie O. Dunton.

Passed under a suspension of the rule.

REINSTATEMENT OF PHILIP J. POWERS.

Coun. DONOGHUE offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Philip J. Powers in the Park Department.

Passed under a suspension of the rule.

REINSTATEMENT OF JOHN J. CAREY.

Coun. DONOGHUE offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation to authorize the Commissioner of Public Works to reinstate John J. Carey, a former employee of said department.

Passed under a suspension of the rule.

PAYMENT TO MRS. LAWRENCE FLANAGAN.

Coun. DONOGHUE offered the following:

Resolved, That the City Council of Boston favors the enactment of legislation authorizing payment to the widow of Lawrence Flanagan, late an employee of the Public Works Department of the City of Boston, of the balance of salary which he would have received for the financial year 1921 had he lived and served throughout that year.

Passed under a suspension of the rule.

A VOTE FOR PRESIDENT.

On motion of Coun. MORIARTY the Council voted to proceed to the election of a president.

The Clerk called the roll, with the following result:

For David J. Brickley—Coun. Brickley, Ford, Moriarty—3.

For John A. Donoghue—Coun. Donoghue, Walsh, Watson—3.

For Daniel W. Lane—Coun. Gilbody, Hagan, Lane—3.

And there was no choice.

RECESS TAKEN.

The Council voted at 2.30 p. m., on motion of Coun. Ford to take a recess subject to the call of the chair.

The members of the Council reassembled in the chamber and were called to order by the chair at 3.37 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. MORIARTY, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Gertrude A. Goodman (referred today) for permit for children under fifteen years of age to appear at Dorchester Women's Club Hall, February 17—that a permit be granted.

Report accepted; permit granted on the usual conditions.

2. Report on order (referred today) requesting the Mayor to send an appropriation of \$5,000 to the Council for the purpose of securing information as to municipal electric lighting plant—that the order ought to pass.

Report accepted; order passed.

3. Reports on communications from the Street Commissioners (referred January 16 and January 23) giving notices of hearings on petitions for licenses to store and keep gasoline—that the same be placed on file.

Reports accepted; notices placed on file.

4. Report on resolutions (referred January 30) concerning the appointment or election of judges—recommending the passage of a resolve in the following new draft, viz.:

Resolved, That in the opinion of the City Council of Boston legislation should be enacted to submit to the people the question of the election of judges.

Report accepted; resolution passed.

REINSTATEMENT OF THOMAS R. BROPHY.

Coun. WATSON offered the following:
Resolved, That the City Council favors legislation reinstating Thomas R. Brophy in the service of the City of Boston.

Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENT.

Coun. HAGAN called up No. 1, unfinished business, viz.:

Action on appointment submitted by the Mayor February 6, 1922, viz.:

1. Michael B. O'Donnell, to be a Constable.

The question came on confirmation. Committee—Coun. Watson and Ford. Whole number of ballots cast 9, yeas 9, and the appointment was confirmed.

COUN. BRICKLEY ELECTED PRESIDENT.

Coun. FORD—Mr. President, I move that we proceed to the election of a president for the year 1922.

The motion was carried, and the Clerk called the roll, with the following result:

For David J. Brickley—Coun. Brickley, Ford, Gilbody, Hagan, Lane, Moriarty—6.

For John A. Donoghue—Coun. Donoghue, Walsh, Watson—3.

Chairman HAGAN—Six members having voted for Coun. Brickley and three for Coun. Donoghue, Coun. Brickley has been elected president for the ensuing year.

On motion of Coun. DONOGHUE it was voted that the election be made unanimous.

Chairman HAGAN appointed Coun. Donoghue and Lane a committee to escort the President-elect to the chair. They performed the duty assigned.

President BRICKLEY, in taking the chair, said:

Fellow members of the City Council, I thank you exceedingly for your courtesy in doing me this honor. I greatly appreciate it. We have all heard the inaugural address of the new Mayor, and I presume that our primary duty will be to give the Mayor our hearty co-operation in order that Boston may have, as it deserves to have, the first place among the cities of the United States as the exponent of efficient government. The Chair awaits the pleasure of the Council.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 3.42 p. m., on motion of Coun. MORIARTY, to meet on Monday, February 20, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 20, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear March 7, 1922:

George H. Boudrot, Ward 1; Patrick A. McLaughlin, Ward 2; Thomas J. Carleton, Ward 4; John B. Mackey, Ward 4; Frank J. Chester, Ward 5; Frank L. Haney, Ward 5; Jesse B. Harris, Ward 5; Michael J. Hogan, Ward 5; Edward Burke, Ward 6; Reinhold Faelton, Ward 7; Ralph S. Bryden, Ward 8; John F. Falvey, Ward 8; William D. Forrest, Ward 8; Henry H. Hill, Ward 8; William H. Lawlor, Ward 8; Frank M. Macomber, Ward 8; Edward J. Doolin, Ward 9; James G. Gillespie, Ward 11; James D. Casey, Ward 15; James W. Hunter, Ward 15; James L. Kingston, Jr., Ward 15; Leo F. Saunders, Ward 15; Francis W. Anderson, Ward 16; Louis Eagles, Ward 17; Frank E. Everett, Ward 17; Marston R. Stubbs, Ward 17; Charles Cohen, Ward 18; James H. Kelly, Ward 18; Frank N. Fisher, Ward 19; Arthur C. C. Hill, Ward 19; George E. Anderson, Ward 20; Isaac Carlin, Ward 21; Solomon Hurvitz, Ward 21; John E. Cook, Ward 22; Robert M. Currier, Ward 22; Wilbert I. Tretaway, Ward 23; Clifford A. Jones, Ward 24; Benjamin Franklin, Jr., Ward 25; Edwin T. Kramer, Ward 25; Nathaniel Robinson, Ward 25.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear March 13, 1922:

James H. Stewart, Ward 1; Thomas H. Dolaher, Ward 2; Francis J. Wellings, Ward 2; William Cuneo, Ward 5; Anton Hansen, Ward 6; John E. Toomey, Ward 6; William F. Twiss, Ward 6; Harry A. Bower, Ward 7; John F. McGarrahan, Ward 7; Timothy Murphy, Ward 7; Charles O. Billings, Ward 8; Frank G. Hale, Ward 8; Patrick J. Green, Ward 9; Michael J. Whalen, Ward 9; Albin Monson, Ward 10; Nathaniel A. Thomas, Ward 10; Fred A. Harkins, Ward 11; John H. Weare, Ward 11; Oscar Hallberg, Ward 12; Thomas H. Lennon, Ward 16; James E. Whitney, Ward 16; Patrick V. Sullivan, Ward 18; Herman Z. Duke, Ward 19; A. Cliff Williams, Ward 19; Patrick F. McAviney, Ward 20; Frederick J. Steeves, Ward 20; Frank J. Wermers, Ward 20; Walter P. Gilbert, Ward 21; John F. Ryan, Ward 21; Aaron S. Sieve, Ward 21; John Burns, Ward 22; John T. Foster, Ward 22; John A. Garity, Ward 22; William J. Hoffman, Ward 23; Henry Thygeson, Ward 23; Thomas F. Dolan, Ward 24; Frank A. Lawrence, Ward 24; John B. Austin, Ward 25; William H. Collier, Ward 25; Harry S. McDevitt, Ward 25.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. James F. Neville, 25 Prescott street, Charlestown, to the position of Constable of the City of Boston.

2. Anton H. Roth, 879 Harrison avenue, Ward 12, to the position of Constable of the City of Boston.

3. Patrick J. Monahan, 189 Heath street, Roxbury, to the position of Constable of the City of Boston.

Laid over under the law.

MUNICIPAL BUILDING, BRIGHTON.

The following was received:

City of Boston,

Office of the Mayor, February 15, 1922.
To the City Council:

Gentlemen,—In accordance with the request of the City Council on February 6, the Superintendent of Public Buildings has prepared an estimate of the cost of providing a site and erecting a municipal building in the Brighton district. I am transmitting his report herewith.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
February 10, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—In reply to the inclosed order of the City Council that the Superintendent of Public Buildings be requested through his Honor the Mayor to give an estimate for the site and a municipal building in the Brighton district, I wish to say that a suitable building to be erected in this district would cost approximately \$350,000. As for the site, that is problematical, as it will all depend on the location and the number of buildings on same.

In connection with this order I might add that there is an appropriation, made in 1917, in the sum of \$5,000, for the plans, studies, etc., for a proposed municipal building in Brighton. Messrs. Desmond & Lord were appointed architects and they prepared certain sketches, when they were ordered to discontinue all further work along these lines. They have, however, submitted to this office sketches showing the possibilities of the building they contemplate erecting.

We had in view at that time a location known as "Wilson Park," a lot of land containing 25,035 square feet, located at the junction of Academy road and Chestnut Hill avenue, but probably this site would not be available now, as it has been turned over to the Park Department.

FRED J. KNEELAND,
Superintendent of Public Buildings.

Placed on file.

COMMERCIAL, INDUSTRIAL AND PUBLICITY BUREAU.

The following was received:

City of Boston,

Office of the Mayor, February 20, 1922.
To the City Council:

Gentlemen,—The most important proposition confronting New England today, and more particularly the capital city of New England, Boston, is the restoration and revival of commerce.

The whole history of the greatness of Boston in the past resulted from the commercial activities of her citizenship. With a view to conserving what little remains and acquiring that which her position entitled Boston to enjoy, I recommend the establishment of a Commercial, Industrial and Publicity Bureau to work under the direction of the Mayor.

I accordingly recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$20,000 be expended, under the direction of the Mayor, by the Commercial, Industrial and Publicity Bureau in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

APPROPRIATION FOR COMMITTEE ON
UNEMPLOYMENT.

The following was received:

City of Boston,

Office of the Mayor, February 20, 1922.

To the City Council:

Gentlemen.—It is highly important that the citizenship of our city enjoy the advantages to which, as citizens, they are entitled, and these advantages can best be conserved by promoting a policy of preference in employment to all who are citizens both in public and private employ.

With a view to relieving unemployment, I recommend the establishment by the City of Boston of an Unemployment Bureau to work in conjunction with the Unemployment Committee.

On October 7, 1921, \$2,500 was appropriated by the Mayor and City Council to be expended by the Committee on Unemployment. Of this appropriation, there is a balance today of approximately \$2,000, and in order that the Employment Bureau may have sufficient funds to properly function, an additional appropriation of \$10,000 should be provided.

I accordingly recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$10,000 additional be expended, under the direction of the Mayor, by the Committee on Unemployment, in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

E. K. Aboozbeeb, for a hearing on his claim for damages caused by a defective sewer at 34 Hudson street.

Frank Burrows, for compensation for damages by break in water main at 240 Shawmut avenue.

Frank Capone, for compensation for injuries caused by a defect in Hanover street.

Pasqualina Ciccio, for compensation for injuries caused by a fall at 81 Thacher street.

James J. Cotter, for refund for eighty garbage tickets.

Demirjian Lamp and Radiator Company, for compensation for damage to automobile by fire apparatus.

M. E. Hall Company, for compensation for damage to property by a broken water main.

William N. Hackett, for compensation for damages by break in water main at 443 Neponset avenue.

Mrs. Catherine Kelley, for compensation for injuries caused by a fall at 33 and 40 New Heath street.

John L. McMenimen, for compensation for damage to coat by an obstruction in sidewalk on Shawmut avenue.

Pearl Miller, for compensation for injuries caused by a fall at 335 Massachusetts avenue.

New York, New Haven & Hartford Railroad Company, for compensation for damage to fence on Geneva avenue, broken by police officers.

Arthur L. Richmond, for compensation for damage to car by a city cart.

L. E. Chandler, for compensation for damage to automobile caused by defect in highway in King square, Dorchester.

Executive.

Emma G. Tunnicliffe, for permit for children under fifteen years of age to appear at Bates Hall on February 24.

H. P. Wamsley *et al.*, protesting against gasolene tank at Granite avenue.

Jitneys.

Percy A. Chamberlain, for license to operate jitney in Hyde Park.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a report, in accordance with law, certifying that certain persons had been employed in his office from February 1 to February 20, and that work had been performed to the amount of \$6,819.31.

Approved and ordered paid.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Joseph P. Silsby.

Approved by the Council.

APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor, certified copies of the same having been sent to the Civil Service Commission, viz.:

Joseph G. O'Malley, Assessor.

Dennis D. Driscoll, Deputy Commissioner of Institutions.

Myron P. Lewis, Park Commissioner.

Placed on file.

DELEGATION OF POWERS OF FIRE
MARSHAL.

A communication was received from the Fire Marshal revoking old delegation of powers to the Board of Street Commissioners and making a new delegation to said Board.

Placed on file.

RETIREMENT OF ARTHUR A. WORDELL.

Notice was received from Chief Justice Bolster of retirement of Arthur A. Wordell, probation officer, in accordance with law.

Referred to the Committee on County Accounts.

STORAGE OF GASOLENE.

Notice was received from the Street Commissioners of petition of James E. Tracy, 1200 Massachusetts avenue, Ward 11, to store and keep 2,000 gallons of gasolene at said address.

Referred to the Executive Committee.

JITNEY BOND.

A jitney bond was received from the Boston Elevated Railway Company for the amount of \$25,000.

Placed on file.

SIDEWALK SCHEDULES.

Communications were received from the Commissioner of Public Works submitting cost of constructing sidewalks on Centre street, Ward 15; Summer street, Ward 9; Dudley street, Ward 17, costing \$2,219.64, \$1,011.45 and \$170.20, respectively, and recommending the passage of the following:

Ordered, That the persons named in the foregoing schedules be and the same are assessed the sums set against their respective names as their proportionate part of the cost of constructing sidewalks on the above-named streets, and the same is ordered certified and notice given to the persons as aforesaid.

The order was passed.

ALTERATIONS, CAMBRIDGE STREET
BRIDGE.

The following was received:

City of Boston,
Law Department, February 18, 1922.

James Donovan, Esquire, City Clerk:

Dear Sir,—In answer to the following order of the City Council passed February 13,—

“Ordered, That the Corporation Counsel be requested to inform the City Council as to the cause of the delay in the completion of the alterations of the bridge by which Cambridge street crosses the Boston & Albany Railroad in Brighton,”

the delay has been caused because it has been necessary to institute court proceedings to have a commission appointed by the Superior Court for the County of Suffolk to ascertain what party or parties interested shall do the work and how the cost of the work to be done is to be apportioned. Joseph A. Campbell, Esquire, of this office, has charge of this matter for this department and he has filed the necessary petition in the Superior Court. The commissioners will be appointed in the very near future and he informs me that he expects that an agreement will speedily be arrived at between the parties interested as to which party will do the work and when that is done the work can be commenced at once.

In these matters it is customary to have the parties agree that the city shall be allowed to do the work and that after the work is done, the commission appointed shall determine in what proportions the cost shall be distributed.

Very truly yours,

ARTHUR D. HILL,
Corporation Counsel.

Placed on file.

STANLEY A. RINGER PLAYGROUND.

Coun. WALSH offered an order—That the Board of Park Commissioners be requested to name the Allston Playground Stanley A. Ringer Playground, in memory of the said man who died in the service of the United States during the World War; and that the playground be designated by suitable signs.

Passed under a suspension of the rule.

SITE FOR MUNICIPAL BUILDING,
BRIGHTON.

Coun. WALSH offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to examine and report as to what sites are available, and the cost of same, for a municipal building in Brighton.

Passed under a suspension of the rule.

PAYMENT TO DANIEL THOMPSON.

Coun. WATSON offered the following: Resolved, That the City Council of Boston favors legislation for a payment of a sum of money to Daniel Thompson, formerly a court officer in the Superior Court.

Referred to the Executive Committee.

SIDEWALK, MORTON STREET.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along the south side of Morton street, from Forest Hills street to Washington street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

RESOLVE CONCERNING COUNTY RULE.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston firmly opposes any legislation which will take from the County Commissioners the control of the County Jail and House of Correction.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.35 p. m., on motion of Coun. DONOGHUE, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 6.23 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. MORIARTY, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Emma G. Tunnicliffe (referred today) for permit for children under fifteen years of age to appear at Bates Hall, February 24—that a permit be granted.

Report accepted; permit granted on the usual conditions.

2. Report on resolution (referred today) favoring legislation paying Daniel Thompson a sum of money—that the resolution ought to pass.

Report accepted; resolution passed.

3. Report on message of Mayor and order (referred today) appropriating \$20,000 for Commercial, Industrial and Publicity Bureau—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

4. Report on message of Mayor and order (referred today) appropriating \$10,000 for the Committee on Unemployment—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

5. Report on order (referred February 13) to pay annuity to widow of Michael C. Leonard, late a member of the Fire Department—that the order ought to pass.

Report accepted; order passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 to 9, inclusive, viz.:

Action on appointments submitted by the Mayor February 13, 1922, viz.:

1. George B. Mullay, to be a Constable.

2. Arthur F. Lane, to be a Constable.

3. Joseph P. Silsby, to be a Constable.

4. David F. Supple, to be a Constable.

5. Martin F. Mullen, to be a Constable.

6. Melville R. Eastman, to be a Constable.

7. Philip Berwin, to be a Constable.

8. Barned Singer, Jennie Levenson, Jacob Groman and Matthew Dinsfriend, to be Weighers of Coal.

9. Ervin Davis, Edwin A. Hilton and Henry M. Ahern, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Gilbody and Watson. Whole number of ballots cast 6, yeas 6, and the appointments were confirmed.

CONVEYANCE OF CITY LAND.

President BRICKLEY called up unfinished business, No. 10, viz.:

10. Whereas, William B. Spooner conveyed to the City of Boston a certain strip of land for the purpose of widening Sister street, now known as Leather square, by a deed recorded in Suffolk Deeds, Book 706, page 134; and

Whereas, The Board of Street Commissioners have passed an order for the discontinuance of the street over said strip of land; it is hereby

Ordered, That his Honor the Mayor be and hereby is authorized and empowered, in the name and behalf of the City of Boston, upon the payment to the city of the amount (\$4,095.68) paid by it for said strip of land, and by a deed in form satisfactory to the Law Department, to release and quitclaim to the Trustees of the Boston Chamber of Commerce Realty Trust, the owners of the adjacent land, as successors in title to said Spooner, all the right, title and interest of the City of Boston in and to said strip of land.

On February 6, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 8, nays 0.

PLAYGROUND, MATTAPAN.

President BRICKLEY called up unfinished business, No. 11, viz.:

11. Ordered, That the sum of \$50,000 be and hereby is appropriated for a playground in the Mattapan district, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On February 6, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 8, nays 0.

MONEY FOR SOLDIERS' RELIEF.

President BRICKLEY offered an order—That there be allowed and paid to the Commissioner of Soldiers' Relief, and charged to the appropriation for the Soldiers' Relief Department, the sum of \$300, said sum to be expended subject to the approval of the Committee on Soldiers' Relief, by said commissioner, in affording immediate relief to persons entitled to aid under chapter 79 of the Revised Laws and acts in amendment thereof and addition thereto.

Passed under a suspension of the rule.

COMMITTEE APPOINTMENTS.

President BRICKLEY announced the appointment of the following committees, viz.:

STANDING COMMITTEES OF THE CITY COUNCIL.

Appropriations.

All the members, Coun. Moriarty, Chairman.

Executive.

All the members, Coun. Ford, Chairman.

Finance.

All the members, Coun. Lane, Chairman.

Ordinances.

All the members, Coun. Hagan, Chairman.

On the following committees the first named member is chairman.

Branch Libraries.

Coun. Gilbody, Donoghue, Moriarty, Walsh, Ford.

Claims.

Coun. Walsh, Watson, Ford, Hagan, Moriarty.

County Accounts.

Coun. Ford, Moriarty, Walsh, Watson, Hagan.

Fire Hazard.

Coun. Gilbody, Donoghue, Lane, Watson, Moriarty.

Inspection of Prisons.

Coun. Moriarty, Watson, Ford, Gilbody, Lane.

Legislative Matters.

Coun. Watson, Hagan, Lane, Donoghue, Ford.

Parkman Fund.

Coun. Hagan, Lane, Donoghue, Moriarty, Watson.

Printing.

Coun. Donoghue, Watson, Hagan, Walsh, Lane.

Public Lands.

Coun. Lane, Ford, Moriarty, Watson, Hagan.

Soldiers' Relief.

Coun. Gilbody, Watson, Donoghue, Moriarty, Ford.

SPECIAL COMMITTEES.

Unclaimed Baggage.

Coun. Moriarty, Walsh.

Rules.

Coun. Donoghue, Moriarty, Lane.

Jitneys.

Coun. Ford, Gilbody, Lane, Walsh, Moriarty.

GENERAL RECONSIDERATION.

Coun. WATSON moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.35 p. m., on motion of Coun. MORIARTY to meet on Monday, February 27, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, February 27, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for the terms ending April 30, 1922, viz.:

1. John F. Gillespie, 660 Bennington street, Ward 1, to the position of Constable of the City of Boston.
 2. Patrick Austin Grady, 15 Spring Garden street, Ward 11, to the position of Constable of the City of Boston.
 3. Ascher E. Horowitz, 61 Hollander street, Roxbury, to the position of Constable of the City of Boston.
 4. James J. Burns, 227 Centre street, Dorchester, to the position of Constable of the City of Boston.
 5. William Joseph O'Connell, 7 King street, Dorchester, to the position of Constable of the City of Boston.
 6. William H. Mealey, 56 Humphreys street, Dorchester, to the position of Constable of the City of Boston.
 7. Robert T. Carey, 21 Aberdeen street, Ward 8, to the position of Constable of the City of Boston.
 8. James Joseph Sullivan, 17 Dennis street, Ward 12, to the position of Constable of the City of Boston.
 9. Salvador C. Sottile, 95 Spencer street, Dorchester, to the position of Constable of the City of Boston.
 10. Michael P. Murphy, 734 East Sixth street, South Boston, to the position of Constable of the City of Boston.
 11. Thomas Joseph O'Brien, 7 Codman Hill street, Roxbury, to the position of Constable of the City of Boston.
- Severally laid over under the law.

VETO—JOHN J. DOLAN.

The following was received:

City of Boston,

Office of the Mayor, February 21, 1922.

To the City Council:

Gentlemen,—I return herewith, without my approval, the order of your honorable body as passed February 13, 1922, for the reasons as set forth in the communication from Commissioner of Public Works, to wit, that John J. Dolan, on the advice of his attorney, resigned from the city service while serious charges were pending against him, the date of resignation being December 23, 1920.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 18, 1922.

To the Honorable the Mayor:

In reply to your memorandum of February 14, regarding the City Council resolution approving the enactment of legislation to authorize the reinstatement of John J. Dolan, beg to advise that Dolan resigned, on the advice of his attorney, on December 23, 1920, while serious charges were pending against him. I think it would be well for the member of the City Council who introduced this order to request its withdrawal in the interest of

Mr. Dolan, rather than have all the facts in the case presented to the public.

Yours respectfully,

T. F. SULLIVAN,

Commissioner of Public Works.

Placed on file.

VETO—THOMAS R. BROPHY.

The following was received:

City of Boston,

Office of the Mayor, February 21, 1922.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your honorable body as passed on February 13, 1922, providing for reinstatement of Thomas R. Brophy in the service of the City of Boston.

In view of the communication submitted by the Commissioner of Public Works in this case, namely, that the actual employment of this man in the service of the city was less than two years in a period of eighteen years, and that he has been out of the service of the city for more than four years, in my opinion, he has forfeited the right to be reinstated.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 18, 1922.

To the Honorable the Mayor:

In reply to your memorandum of February 15, regarding the City Council order favoring legislation reinstating Thomas R. Brophy, beg to advise that he was appointed lamplighter with the Rising Sun Street Lighting Company on June 12, 1899. When this contract expired in 1907 the city took over the work, and on May 1 of that year he, with the other lamplighters employed by the company, was transferred to the Lamp Division of the Street Department. On September 15, 1908, street lighting was placed under contract again and he, with all the other men so employed, was transferred to the Rising Sun Company. He continued with this company until December 7, 1917, when a number of the lamplighters, including himself, went on strike.

Legislation has been passed authorizing the re-employment of lamplighters who remained in the service of this company until such time as their routes were abolished by the installation of automatic lighting devices. During Brophy's eighteen years' service as lamplighter he was only employed sixteen months on the city pay roll. It would seem to me establishing a poor precedent to reinstate him over the heads of men who have been on the civil service list for many years and who are anxious for employment with the city.

The facts are exactly the same in the case of Richard P. Kelly, except that Kelly entered the service of the lighting company four years later.

Yours respectfully,

T. F. SULLIVAN,

Commissioner of Public Works.

Placed on file.

VETO—MRS. LAWRENCE FLANAGAN.

The following was received:

City of Boston,

Office of the Mayor, February 21, 1922.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your honorable body as passed February 13, 1922, favoring the enactment of legislation authorizing payment to the widow of Lawrence Flanagan of the balance of salary for the financial year 1921.

The reasons as set forth in the communication from the Commissioner of Public Works should suffice; for the adoption of this order might result in the creation of a policy that, while proving beneficial to one

individual, would be an injustice and an injury to the rest of the entire community.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 18, 1922.

To the Honorable the Mayor:

Referring to your memorandum of February 14, regarding the City Council order authorizing payment to the widow of Lawrence Flanagan the remainder of his salary, beg to advise that Flanagan was employed as subforeman in the Paving Division since 1899 and until the date of his death of January 8 current. His last regular employment was in August, 1921. He was afflicted with an incurable disease, and from the 18th of August to the day of his death he was carried on the pay roll as on "sick leave" with full pay, this being authorized by Mayor Peters upon my recommendation. Evidently the person suggesting this order was not familiar with the facts, as a reference to the pay rolls in the Auditing Department will confirm the above information.

Yours respectfully,
T. F. SULLIVAN,
Commissioner of Public Works.
Placed on file.

VETO—RICHARD J. KELLY.

The following was received:

City of Boston,
Office of the Mayor, February 21, 1922.
To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your honorable body as passed on February 13, 1922, providing for reinstatement of Richard J. Kelly in the service of the City of Boston.

In view of the communication submitted by the Commissioner of Public Works in this case, namely, that the actual employment of this man in the service of the city was less than two years in a period of eighteen years, and that he has been out of the service of the city for more than four years, in my opinion, he has forfeited the right to be reinstated.

Respectfully,
JAMES M. CURLEY, Mayor.
Placed on file.

VETO—PHILIP J. POWERS.

The following was received:

City of Boston,
Office of the Mayor, February 25, 1922.
To the City Council:

Gentlemen,—I return herewith, without my approval, the resolve passed by your honorable body on February 13, 1922, favoring legislation for the reinstatement of Philip J. Powers in the Park and Recreation Department.

The accompanying report of the Park Commission contains sufficient facts to justify the action here taken.

Respectfully,
JAMES M. CURLEY, Mayor.
City of Boston,
Park Department, February 23, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—In answer to your memorandum of February 14, relative to Philip J. Powers, formerly employed in this department as a life guard and helper, I respectfully submit the following information:

Powers was first employed July 15, 1912, and worked until the twentieth day of July, 1916, when he absented himself until November 2, 1916. He worked for a short time until November 1, 1917, when he absented himself again until the sixth day of December, 1917; he worked four days and has not worked since. According to the civil service

rules he has been out of the department since the 16th day of June, 1918.

The department is not responsible for his absence; he is not, in my opinion, a valuable man to the department, and I have no reason to ask for his reinstatement.

Very respectfully yours,
JAMES B. SHEA,
Chairman.

Placed on file.

VETO—WARREN J. STOKES.

The following was received:

City of Boston,
Office of the Mayor, February 25, 1922.
To the City Council:

Gentlemen,—I return herewith, without my approval, the resolve passed by your honorable body on February 13, 1922, favoring the enactment of legislation to increase the pension of Warren J. Stokes, for the reason set forth in the closing paragraph of the letter received from Thornton D. Apollonio, secretary to the School Committee.

In my opinion, the contention of the School Committee, with reference to the general subject of pensions, is sound and should be sustained.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
School Committee, February 23, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—In reply to your memorandum, dated February 15, 1922, calling attention to the following action by the City Council on February 13, 1922:

"Resolved, That the City Council of Boston favors the enactment of legislation to increase the pension of Warren J. Stokes," and asking for a report from the School Committee on this matter, stating all facts, and also its recommendation, the following is respectfully submitted:

Warren J. Stokes was appointed a truant officer September 12, 1876, and continued in that position, except that his title was subsequently changed to that of attendance officer, until August 31, 1916, when he was retired at the age of seventy-eight, on pension at the rate of \$360 per annum, under the provisions of chapter 257 of the Special Acts of 1916, which provides that the School Committee may retire with an annual pension any janitor or attendance officer who has reached the age of sixty years, after completing a period of not less than twenty-five years of service, and who has become physically incapacitated, the pension to be equal to one half the compensation to which the pensioner would have been entitled for full employment during the last year of service, but not exceeding \$360 per year.

In the opinion of the School Committee this pension is not an adequate one, except perhaps for custodians (school janitors) who have charge of small buildings, but is the maximum amount allowed under the present law.

In this connection your honor's attention is respectfully called to chapter 132, Special Acts of 1919—An Act Relative to the Maximum Pension Payable to Retired School Janitors or Attendance Officers in the City of Boston—which increases the maximum pension to \$500 a year. This act provides that it shall take effect upon its acceptance by the Mayor, the City Council, and the School Committee of the City of Boston. The School Committee accepted this act on April 21, 1919. Similar action was taken by the City Council on May 26, 1919, and was vetoed by Mayor Peters on June 10, 1919.

On November 29, 1920, an order was passed by the School Committee requesting the Mayor to approve the act referred to (chapter 132, 1919), which, as stated above, he had previously vetoed. Mayor Peters replied, on December 11, inclosing a copy of his previous veto, and explaining his attitude on the subject.

Inclosed are copies of the order passed by the School Committee November 29, 1920, the veto of the Mayor, and his communication of December 11, 1920.

In response to your request for a recommendation, as above stated, the Board does not consider the pension paid to Mr. Stokes to be adequate. The Board, however, would not feel warranted in indorsing legislation to increase his pension which would not include other former employees who are equally deserving of similar consideration.

Very truly yours,
 THORNTON D. APOLLONIO,
 Secretary.

Placed on file.

VETO—MRS. WALKER A. SMITH.

The following was received:

City of Boston,
 Office of the Mayor, February 18, 1922.

To the Honorable the City Council:

Gentlemen,—I beg to return herewith, without my signature, your order of February 13 favoring the enactment of legislation authorizing the payment to the widow of Walker A. Smith, formerly an employee of the Police Department, of the balance of salary for the financial year 1921, which he would have received had he lived and served the city throughout that year.

I am also sending report of the Police Commissioner setting forth facts in the case and his views with reference to this particular class of legislation, and which views I share, believing that the enactment of this particular measure would open the gates to an abuse that it might be extremely difficult later to correct.

Respectfully,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Police Department, February 15, 1922.

Hon. James M. Curley,
 Mayor of Boston:

Dear Sir,—I am in receipt of a letter from your secretary stating that the City Council has passed the following resolution:

“Resolved: That the City Council of Boston favors the enactment of legislation authorizing the payment to the widow of Walker A. Smith, formerly an employee of the Police Department of the City of Boston, of the balance of salary for the financial year 1921, which he would have received had he lived and served the city throughout the year.”

In accordance with your request for a statement of the facts and as to my recommendation, I am attaching hereto a copy of a letter sent by me to the City Council under date of September 27, 1921; the matter before the Council being whether widow of Inspector Smith should be granted the annuity provided by statute for a police officer who dies from injuries received in the performance of his duty. I am attaching to that report, as indicated in the letter, a copy of the report of the chief inspector, therein referred to.

The same reasons that applied in the matter of granting the annuity appear to me to apply with equal force to the proposition now under discussion. If the widow of Inspector Smith is given by the City of Boston the balance of the salary to which he would be entitled if he had served the city throughout the year, it establishes a precedent by which the widow or dependents of any police officer, who dies from any cause not connected with his official position, may properly and rightfully claim the same treatment from the city. If such a procedure is deemed wise in his specific case, then a general rule should be established in all cases, without distinction or discrimination.

Very respectfully,
 E. U. CURTIS,
 Police Commissioner for the City of Boston,

September 27, 1921.

To the Honorable City Council:

Gentlemen,—Your order of September the 12th for an annuity to the widow of Walker A. Smith, formerly a member of the Police Department, is received in this office and I have had a full investigation of the matter made. I send you copy of the report from the chief inspector. At my request Paul D. White, M. D., examined Inspector Smith. He had before him the statement of Inspector Smith showing the facts as they are represented to you in the report of the chief inspector. He also discussed the matter verbally with Inspector Smith and reported to me as follows:

“There is no clear-cut evidence in the literature or as seen at the Hospital* here of an accident, such as Inspector Smith had, acting as the cause of a heart condition such as he shows at present.

“In conclusion it is my opinion that Inspector Smith is suffering from serious heart disease due to some infection and not to his accident. His symptoms however were induced by the extreme exertion at the time of the accident. His future is uncertain so far as his heart condition goes and I should judge rather unfavorable. His work should be light and he should avoid any sudden excitement of exertion. At present he is on the border line of cardiac failure.”

I cannot find anything in the report on the facts or in the report of the examining doctor which would justify me certifying that Inspector Smith died from injuries received in the performance of his duty. I must therefore notify you that I disapprove of the granting of the annuity because I am of the opinion that this case does not fall within the statute.

Very respectfully,
 E. U. CURTIS,
 Police Commissioner for the City of Boston.

* Massachusetts General.

City of Boston,
 Police Department, September 27, 1921.

To the Police Commissioner:

Sir,—In compliance with your order of the 20th instant, I respectfully report that Walker A. Smith was appointed a reserveman in the Boston Police Department, October 23, 1900; was transferred to the Bureau of Criminal Investigation, January 1, 1904, promoted to rank of inspector, February 26, 1907, and died July 11, 1921.

A few years ago I noticed that he was losing weight, color and activity, but I cannot recall, even approximately, just when I first noticed this.

Inspector Smith was a strong, rugged, active man, a good officer and was rated as an athlete. In August, 1919, he informed me that he was not feeling well and he applied for fourteen days leave of absence, which was granted. In August, 1920, for the same reason, his application for fourteen days leave of absence was granted. Between February 24, 1921, and July 11, 1921, he was absent from duty seventy-six days on account of sickness.

JOHN R. MCGARR,
 Chief Inspector.

Placed on file.

VETO—D. DOHERTY COMPANY.

The following was received:

City of Boston,
 Office of the Mayor, February 25, 1922.

To the City Council:

Gentlemen,—I return herewith, without my approval, the resolve passed by your honorable body on February 13, 1922, favoring legislation to enable the City of Boston to reimburse the D. Doherty Company for losses sustained in delivering coal to the city for use in certain schools.

The precedent created by an enactment such as is here proposed would, in my opin-

ion, result in a raid on the city treasury far beyond the power of the city to meet.

I appreciate that the action of the claimant was most meritorious and that a failure to approve legislation providing for his reimbursement by the city for losses sustained may appear harsh, yet, nevertheless, apparently there is no other action which, in justice to the public, one can justify taking.

Respectfully,

JAMES M. CURLEY, Mayor.

Placed on file.

COMPREHENSIVE CITY PLAN.

The following was received:

City of Boston,

Office of the Mayor, February 27, 1922.

To the City Council:

Gentlemen,—The beginning of the second century of Boston's existence as a city presents possibilities for usefulness to future generations of such tremendous value that I deemed it advisable to invite the co-operation of the City Planning Board in the formulation of a program, the adoption of which is vital.

The City Planning Board, after a long study and fortified by the searching investigation conducted and data collated, has submitted a report, a copy of which report I am transmitting herewith, which might well serve as a basis for consideration and action.

I respectfully recommend the passage of the accompanying order covering an appropriation of \$10,000, as requested by the City Planning Board, for the preparation of a comprehensive city plan, that waste and duplication may be minimized and that a constructive program worthy of the City of Boston may be adopted and pursued in the years that are to come.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

City Planning Board, February 22, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—The City Planning Board begs leave to transmit herewith a report, and recommendation looking toward the preparation of a comprehensive city plan for the City of Boston.

Emphasis is given to the recommendation at this time for several reasons. Among them:

(1.) Boston was the first town in Massachusetts to become a city, being incorporated February 23, 1822. No more fitting celebration of its 100th anniversary could be devised than to launch, at the beginning of its second century of municipal life, a movement for a comprehensive city plan which shall make provision for the development of the city along orderly, progressive lines.

(2.) The investigation by a committee from the federal government of postal facilities in the Boston district, particularly with reference to the possible relocation of the Post Office building, together with the order recently passed by the City Council with reference to the location of a new city hall, emphasizes the need of careful foresight in the location of future public buildings.

(3.) The City Planning Board is advised that the next annual meeting of the National Conference on City Planning will be held this year in Springfield, Mass. As noted in the accompanying communication, Springfield already has a comprehensive city plan under way, and holding the conference in that city means that the attention of the leading city planning minds all over the country will be focussed upon one of the cities of this Commonwealth.

For these, and many other reasons which the Board believes are obvious to your Honor, some of which are set forth in the accompanying communication, such as a major street plan, including the main arteries of traffic in and about the city, and to the adjacent cities and towns; zoning plan, providing

protection for residential districts, and promoting the development of industrial and commercial areas, regulating the location of garages, etc.; development of port, harbor and railroad facilities; location of public buildings, and the development of recreational facilities.

The recommendation is made that your Honor authorize an appropriation of \$10,000 to be expended under the direction of the City Planning Board, for the employment of expert assistance in the preparation of a comprehensive city plan for the City of Boston.

Respectfully submitted,

THE CITY PLANNING BOARD,
FREDERIC H. FAY,
Acting Chairman.

A COMPREHENSIVE CITY PLAN.

The City Planning Board has now been in existence nearly eight years, during which time it has had opportunity to study in detail practically every phase of municipal development, existing and proposed. It has in that time had the privilege of making various recommendations, based upon comprehensive surveys, a gratifying number of which have been adopted, leaving others still open for future consideration.

In this work, while its appropriation has been and is exceedingly limited, it has been able to enlist from time to time the voluntary assistance of organizations and individuals whose services have constituted a very material contribution to the solution of the particular problem in hand.

During the slightly less than the decade of years which have elapsed since the creation of the City Planning Board, it has seen the population figures of Boston show a far from normal increase; it has seen the volume of foreign traffic clearing through New England ports decline steadily from year to year; it has seen the State of Massachusetts fall from fourth to fifth place among the states in the value of its manufactured products, in spite of the fact that the total for the nation was three times as great in 1920 as it was in 1910; and it has seen New England overlooked in a conference conducted in New York by the United States Shipping Board for the formulation of a "sound constructive policy" upon maritime subjects of great importance to which now much attention necessarily is given.

At the same time, it finds that in the last twenty-five years there have been more than an equal number of thoughtful, and in the main scientific, investigations of municipal problems. Some of the best minds in New England have given these matters serious consideration, their conclusions being embodied in printed reports. Formal investigations have been made by state and city departments, special commissions and committees have been appointed, and independent studies have been made by business and civic organizations and by individuals, all involving an expense of probably more than half a million dollars.

A study of this mass of accumulated material, much of it very valuable, together with the fact that Boston at the best is not living up to its potential opportunities, if it is indeed holding its own, has confirmed the City Planning Board in its belief that Boston has been, and is suffering greatly from a lack of co-ordination of facilities and efforts. To offset this condition, the City Planning Board recommends the preparation of a comprehensive city plan, not with the idea that its adoption will prove a panacea for all existent troubles, but with the conviction that it will lend emphasis and direction to future efforts.

Such a city plan would include, among other features, a

1. Major Street Plan.—The criticism has been made repeatedly that Boston has not yet had a really thorough, painstaking, and farsighted study of its street problems in the big way in which other cities have approached the vital part of traffic reform. It is generally conceded that conditions attendant upon

vehicular and pedestrian traffic are almost intolerable and yet the fact remains that, aside from certain street widenings which have acted merely as palliatives and in no sense as correctives, the first fundamental step in the adoption of a comprehensive street plan, designed to encourage and stimulate the growth and development of the city, is to be found in the recently authorized widening and extension of Stuart street.

The joint report submitted to the City Council, dated October 19, 1921, outlining the advantages of a broad highway paralleling Washington street on the east, between Adams square and Stuart street, together with the widening of Cambridge and Court streets and the extension of Causeway street, as compared with the suggested arcading of Washington street, might also be considered as connecting links in a comprehensive street plan.

Among other plans suggested at different times are various extensions of the one-way street system, a bridge or traffic tunnel to East Boston, a tunnel or ferry between East Boston and South Boston, a tunnel under Boston Common, a highway over the Boston & Albany Railroad tracks from the South Station to Cottage Farm Bridge, and an extension of Dorchester rapid transit facilities. Millions of dollars are involved in these major improvements, irrespective of the requirements of local thoroughfares.

(a.) **Parking Facilities.**—Such a street plan would take into account the necessity for reasonable parking privileges in the downtown district. Automobiles, although their rapid increase in numbers is appalling under present conditions, are a legitimate means of conveyance, in many cases an actual business asset, and the owners of them are entitled to convenience and protection.

2. **Zoning.**—In its generally accepted sense, zoning means the adoption of height, area, and use limitations as applied to certain districts. Boston has had in existence since 1904 comprehensive regulations governing the height of buildings. It also has regulations governing to a certain extent the area of occupancy; leaving the use or development of property entirely without regulation or control, outside the police power which is usually an unpleasant influence to invoke. To provide for this feature, the Massachusetts Legislature in 1920 passed an act, chapter 601, based upon Article LX. of the Constitutional Amendments, authorizing cities and towns to limit buildings according to their use or construction to specified districts.

Zoning plans are in effect today, or are in preparation, in more than one hundred cities throughout the United States. These include New York, Philadelphia, Detroit, Chicago, Cincinnati, Cleveland, Pittsburgh, Washington, Los Angeles and Baltimore. Here in Massachusetts might be mentioned Brockton, Cambridge, Fall River, Newton, Brookline, Natick, Attleboro and Springfield.

Some of the arguments which might be advanced in favor of the adoption of a zoning plan are that it

I. Stabilizes and protects property values and investments.

II. Affords a safe district in which industries may be located without fear of protest and with every facility to do business.

III. Insures permanence of character of districts when once established, permitting and encouraging orderly enlargement of business centers and industrial zones, while preventing the scattering and intrusion of any inappropriate and destructive uses of buildings which deteriorate and decrease property values.

IV. Renders possible great economies in installation of public improvements, such as streets, sidewalks, and fire, water, and sewer facilities.

(a.) **Residential, Commercial and Industrial Districts.**—The adoption of a zoning plan for the City of Boston would mean the division of the city into residential, commercial and industrial districts, each district being pro-

ected by regulation from outside encroachments. It would necessitate a block survey of the entire city in order that its results might be permissive rather than restrictive.

(b.) **Garages.**—The adoption of a zoning plan makes possible the restriction of public garages to areas or zones where their erection will not interfere with the rights or safety of the residents of the immediate neighborhood. This is perhaps the most imperative phase of the zoning situation in Boston today. Garages constitute a component factor in an important industry, and their right to existence should be recognized and encouraged in the proper places. Zoning assures protection to property owner and garage builder alike.

(c.) **Billboards.**—Another feature which might be provided for in a zoning plan would be the regulation of billboards and other forms of outdoor advertising.

3. **Development of Harbor, Port, and Railroad Facilities.**—The total expenditures for Boston Harbor, made by the Federal Government, have been more than \$12,000,000, while the Commonwealth of Massachusetts, in the sixty-year period ending in 1919, expended more than \$18,000,000 in its development and improvement; yet the statement has been recently made that, while port facilities at New York, Philadelphia and Baltimore were crowded, Boston was using only about thirty or forty per cent of what was available on its magnificent waterfront and harbor.

The railroads of the country are in a state of transition today and definite suggestions looking toward their relief have been made to the Interstate Commerce Commission. A city plan such as proposed would include a study of the effect of the consolidation outlined upon local business, as well as definite suggestions for cooperation. It should also include a study of the local railroad situation, so far as the location of terminals and the proper distribution of both passengers and freight are concerned.

4. **Municipally Owned Buildings.**—The comprehensive plan recently prepared by this Board, showing the location of municipally owned buildings throughout the city, demonstrates the necessity of a carefully thought out plan for future needs.

5. **Recreational Facilities.**—Boston's Park and Playground system doubtless compares favorably with that of any other city in the country, yet certain of its potentialities are far from fully developed, and provision for future growth should be made.

6. **Regional Plan.**—A city plan such as proposed would of necessity be studied in the light of Boston's relations with adjoining municipalities. This might mean that a solution could be found for many of the problems hitherto encountered in any attempt at a consolidation or federalization of metropolitan communities.

7. **Topographic Survey.**—In all probability a topographic survey of the city would be recognized as essential to a city plan. This is a feature which the City Planning Board has recommended on several occasions should be provided for.

The adoption of the city plan is by no means an innovation in municipal life.

The most striking illustration in this country today is found in the city of Washington, D. C., where at the request of George Washington in 1791, Maj. P'erre Charles L'Enfant, a young French engineer, made a comprehensive plan for the development of the National Capitol. A zoning ordinance was accepted August 30, 1920.

Chicago's city plan, prepared in 1909, was introduced into the public schools as a part of the regularly accredited eighth grade curriculum, and is being studied by over 30,000 school children. Projects totalling nearly \$250,000,000 in public and private improvements covered in this plan are either actually being constructed or are passing through the stages of legal formalities for

early accomplishment. A zoning commission was appointed in July, 1921, and plans are now in preparation.

New York has a comprehensive city plan in accordance with which improvements under way or in contemplation are being developed. The zoning resolution adopted in 1916 has met with a very general popular approval and the opinion has been expressed that no one thing has done more to promote orderly city development.

Philadelphia has an unofficial city plan, prepared in 1911 in accordance with which streets, parks, bridges, railroad agreements, etc., are being carried out. In five years the city has voted \$147,000,000 of public bonds for city plan improvements. A zoning ordinance has been prepared and is now under consideration.

Detroit has a comprehensive street and radial thoroughfare plan in conformity with which improvements are being carried out. In one year approximately eighty-six miles of street improvements were put through. A comprehensive zoning ordinance and maps have been prepared.

A comprehensive city plan for Cleveland is now in course of preparation and a tentative zoning ordinance and plans have been prepared.

A comprehensive plan for St. Louis is in preparation and many details in connection with it have already been worked out. A zoning plan was adopted in May, 1918.

Baltimore also has a comprehensive plan and a zoning ordinance.

The City Planning Board of Springfield, Mass., has recently been granted a special appropriation of \$20,000 to provide for the services of experts in the preparation of a comprehensive city plan and a zoning ordinance.

The City Planning Board of Boston believes, therefore, that the time has come to take a definite step in the same direction, and to that end requests that a special appropriation be authorized, to be expended under its direction, for the employment of expert consultants who will bring to the work a wider knowledge, based upon actual experience, than has been available heretofore. It has no hesitancy in saying that, in its opinion, it is a work which merits the attention of the best city planning minds in the country.

It would be the duty of this expert consultant to correlate the information already assembled, and with the assistance and cooperation of local public bodies, private organizations and individuals, work out a general plan which shall be definite, comprehensive, and progressive.

In making this recommendation the City Planning Board believes that it is merely voicing a sentiment which is practically general throughout the community and that once the work is under way, under competent and efficient leadership, a vast amount of voluntary assistance will be available from public spirited citizens. The City Planning Board firmly believes, however, that the initiative must, and very properly should, come from the municipality.

The total cost of such a plan would be difficult to estimate at this time. However, in order that the work may be gotten immediately under way, the Board recommends that an appropriation of \$10,000 be authorized, to be expended under its direction for the employment of expert assistance in the preparation of a comprehensive city plan as outlined above.

Ordered, That the sum of \$10,000 be expended, under the direction of the City Planning Board, for the employment of expert assistance in the preparation of a comprehensive city plan for the City of Boston, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

COMPLETION OF COLUMBUS PARK.

The following was received:

City of Boston,
Office of the Mayor, February 27, 1922.
To the City Council:

Gentlemen,—The completion of Columbus Park, which is today Boston's greatest recreational center, is desirable both from the standpoint of public health and public welfare.

The total investment by the City of Boston to date is in excess of two million dollars and the completion of this work would require an additional expenditure of \$750,000.

I accordingly recommend the adoption of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$750,000 be and hereby is appropriated for Columbus Park Improvements, and that to meet said appropriation, the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the City to said amount.

Referred to the Committee on Finance.

APPROPRIATION BILL.

The following was received:

City of Boston,
Office of the Mayor, February 27, 1922.
To the City Council:

Gentlemen,—Under the provisions of section 3, chapter 486, of the Acts of 1909, the Mayor is required to submit the budget within thirty days after the beginning of the fiscal year, and I accordingly submit the accompanying budget in lump sum form.

Boston holds the unique position of being the only city in the state which has its limit of appropriating power fixed by the Legislature. Under existing law, the city may raise \$6.52 on each one thousand of the average valuation for three years, less abatements, for general municipal purposes, exclusive of schools. For several years past, the Legislature has granted a higher rate operative one year at a time. Last year this rate was \$11 on each thousand.

The effect of the present law, and the comparison with last year, is as follows:

Amount available for appropriations inside tax limit 1921-22....	\$25,791,276.11
Amount available for appropriations inside tax limit 1922-23....	14,492,622.43

Decrease in appropriating power under present law.....	\$11,298,653.68
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No further comment is needed to show the inadequacy of the present law to provide for the needs of the city.

The Legislature is now considering a bill granting the right to Boston to fix its own tax limit. Upon the passage of this bill, or other legislation granting authority to appropriate sufficient funds for the needs of the municipality, I will immediately proceed to prepare and submit at the earliest possible time, the annual budget in full segregated form.

Respectfully,

JAMES M. CURLEY, Mayor.

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1922-1923.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or the County of Suffolk, or the departments or officers thereof, and to meet their respective obligations for interest on debt, sinking fund requirements and

maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriations for Water Service, current expenses, and the payment to the state under the provisions of chapter 488 of the Acts of 1895, and acts in addition or amendment thereto, and for the interest and debt requirements for loans issued for water purposes, be met by the income of said works and any excess over income from taxes; that the appropriation for *City Record* be met by the income from the publication and any excess over income from taxes; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on January 31, 1922, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year, beginning February 1, 1922, and taxes to the amount of \$18,070,836.72, and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and all taxes assessed for meeting the city's proportion of the state tax of the year 1922, or of any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth day of October, 1922; that interest shall be charged on all taxes remaining unpaid after the first day of November, 1922, in accordance with the provisions of chapter 460 of the Acts of 1920, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of twelve per cent per annum from the fifteenth day of October, 1922, until paid; and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or by transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purpose or item and except as aforesaid, no salaries or wages shall be paid in excess of the rates specified in said tables and schedules.

Art Department	\$2,500 00
Assessing Department	135,000 00
Auditing Department	31,000 00
Boston Sanatorium	215,000 00
Budget Department	4,200 00
Building Department	110,000 00
Board of Examiners	2,500 00
Board of Appeal	2,800 00
City Clerk Department	27,000 00
City Council	20,000 00
City Council Proceedings	5,500 00
City Documents	25,000 00
City Planning Board	4,000 00
Collecting Department	80,000 00
Election Department	130,000 00
Finance Commission	40,000 00
Fire Department	1,975,000 00
Wire Division	50,000 00
Health Department	340,000 00
Hospital Department	700,000 00
Institutions Department:	
Central Office	30,000 00
Boston Almshouse and Hos- pital	225,000 00

Child Welfare Division	120,000 00
Suffolk School for Boys	1,100 00
Steamers "Monitor" and "George A. Hibbard"	45,000 00
Law Department	38,000 00
Library Department	520,000 00
Licensing Board	25,000 00
Market Department	10,000 00
Mayor, Office Expenses	35,000 00
Public Celebrations	30,000 00
Conventions, etc.	2,800 00
Overseeing of the Public Wel- fare Department	650,000 00
Temporary Home	5,000 00
Wayfarers' Lodge	8,500 00
Park Department	750,000 00
Cemetery Division	75,000 00
Police Department	2,300,000 00
Public Buildings Department....	265,000 00
Public Works Department:	
Central Office	50,000 00
Bridge Service	237,000 00
Ferry Service	290,000 00
Lighting Service	400,000 00
Paving Service	700,000 00
Sanitary Service	1,000,000 00
Street Cleaning and Oiling Service	500,000 00
Sewer Service	330,000 00
Registry Department	27,000 00
Reserve Fund	305,222 43
Sinking Funds Department	1,500 00
Soldiers' Relief Department	800,000 00
Statistics Department	6,000 00
Street Laying-Out Department....	100,000 00
Supply Department	28,000 00
Treasury Department	30,000 00
Weights and Measures Depart- ment	20,000 00
Reconstructing and Repairing Streets by Contract	400,000 00
Street Improvements	150,000 00
Granolithic Sidewalks	28,000 00
Bridges, Repairs, etc.	55,000 00

\$14,492,622 43

City Debt Requirements..... \$5,780,477 79

Jail	\$134,900 00
Suffolk County Courthouse, Cus- todian	98,000 00
Suffolk County Courthouse, County Buildings	45,000 00
County Buildings	52,000 00
Supreme Judicial Court.....	48,000 00
Superior Court, Civil Session, General Expenses	435,000 00
Superior Court, Civil Session, Clerk's Office	118,000 00
Superior Court, Criminal Session, Probate Court	275,000 00
Probate Court	15,000 00
Municipal Court	260,000 00
Municipal Court, Charlestown District	20,000 00
East Boston District Court.....	19,000 00
Municipal Court, South Boston District	15,000 00
Municipal Court, Dorchester Dis- trict	15,000 00
Municipal Court, Roxbury Dis- trict	41,000 00
Municipal Court, West Roxbury District	14,000 00
Municipal Court, Brighton Dis- trict	9,500 00
Boston Juvenile Court	20,000 00
Police Court, Chelsea	16,000 00
Registry of Deeds	95,000 00
Index Commissioners	13,000 00
Insanity Cases	24,050 00
Land Court	4,000 00
Medical Examiners, Northern District	15,000 00
Medical Examiners, Southern District	11,000 00
Associate Medical Examiner, Northern District	1,500 00
Associate Medical Examiner, Southern District	1,500 00

Miscellaneous Expenses:		Printing Department	\$290,000 00
Auditing Department	950 00	<i>City Record</i> , Publication of.....	\$19,000 00
Collecting Department	1,000 00	Public Works Department, Water	
Treasury Department	3,500 00	Service	\$1,000,000 00
Sheriff	3,200 00	Collecting Department, Water	
Granite Avenue Bridge	2,500 00	Division	30,000 00
Social Law Library	1,000 00	Water Service, Debt Require-	
House of Correction	150,000 00	ments	50,449 00
	<u>\$1,977,600 00</u>		
County Debt Requirements.....	\$158,586 50		<u>\$1,080,449 00</u>

RECAPITULATION OF AMOUNTS ALLOWED.

From taxes:			
For city purposes within the tax limit	\$14,492,622 75		
City debt requirements	5,780,477 79		
			\$20,273,100 22
County of Suffolk:			
General purposes	\$1,977,600 00		
Debt requirements	158,586 50		
			2,136,186 50
City and county total			\$22,409,286 72
From revenue:			
Printing Department		290,000 00	
<i>City Record</i> , publication of.....		19,000 00	
Public Works Department, Water Service.....	\$1,000,000 00		
Collecting Department, Water Division	30,000 00		
Water Service, debt requirements	50,449 00		
			1,080,449 00
Grand total			<u>\$23,798,735 72</u>

BASIS OF ESTIMATE.
1921-1922.

Average valuation, \$1,526,365,954.67.		
\$11 on the thousand brings.....	\$16,790,025 50	
Estimated income and cash in treasury.....	9,001,250 61	
Amount available for appropriations inside tax limit.....	<u>\$25,791,276 11</u>	

1922-1923.

Average valuation, \$1,557,388,410.46.		
\$6.52 on the thousand brings.....	\$10,154,172 43	
Estimated income	4,338,450 00	
Amount available for appropriations inside tax limit.....	<u>\$14,492,622 43</u>	

Referred to the Committee on Appropriations.

MUNICIPAL BUILDING, WARD 21.

The following was received:

City of Boston,
Office of the Mayor, February 24, 1922.

To the City Council:

Gentlemen,—In accordance with the request of the City Council on February 13, the Superintendent of Public Buildings has prepared an estimate of the cost of a municipal building and a suitable site in Ward 21, Dorchester. I am transmitting his report herewith.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
February 20, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—Replying to the inclosed order of the City Council, that the Superintendent of Public Buildings be requested, through his Honor the Mayor, to submit an estimate of the cost of a municipal building and a suitable site in Ward 21, Dorchester, I respectfully report that to procure a suitable site and to put up a building to meet all the requirements of this district would cost approximately \$350,000 for the erection of the building and \$25,000 for the site.

Respectfully yours,

FRED J. KNEELAND,
Superintendent of Public Buildings.

Placed on file.

CONTINUANCE OF RENT AND HOUSING COMMITTEE.

The following was received:

City of Boston,
Office of the Mayor, February 24, 1922.
To the City Council:

Gentlemen,—The State Commission on Necessaries of Life will cease to function on April 30, 1922, unless legislation is enacted for its continuance.

Under the circumstances I believe it would be advisable, pending action by the state, to extend the life of the Boston Rent and Housing Committee for a period of sixty days, but with a reduction of 50 per cent in the present cost of conducting the activities, as the present amount expended appears to be excessive. I accordingly recommend the adoption of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That the Committee on Rent and Housing be and hereby is authorized to expend, under the direction of the Mayor, an additional sum of \$1,000, the said amount to be charged to the Reserve Fund.

Referred to the Executive Committee.

SALE OF FIRE HOUSE, SOUTH BOSTON.

The following was received:

City of Boston,
Office of the Mayor, February 25, 1922.
To the City Council:

Gentlemen,—At the present time the City of

Boston owns property at the corner of B and Athens streets, South Boston district. The building located on this plot was formerly used as a fire station, but as it was no longer needed, it was turned over to the Superintendent of Public Buildings, and is now in his custody.

As this property is no longer required for public purposes, I believe it would be advisable to have your honorable body grant authority for the city to sell this land and building at auction.

I am transmitting herewith a communication from the Superintendent of Public Buildings, stating that the property is no longer required for public purposes. I therefore recommend the passage of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
February 25, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I wish to advise you that the Public Buildings Department have had the care and custody of the Old Fire House, located at B and Athens streets, South Boston, for some time and now have no further use for same for city purposes.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That the Board of Street Commissioners be authorized to sell at public auction at a price not less than twenty-five hundred (\$2,500) dollars, the property at the corner of B and Athens streets, South Boston district, formerly used as a fire station, the proceeds to be credited to sales of city property.

Referred to the Executive Committee.

LOAN FOR SEWERAGE WORK.

The following was received:

City of Boston,
Office of the Mayor, February 27, 1922.
To the City Council:

Gentlemen,—I am herewith transmitting a communication from the Commissioner of Public Works requesting the authorization of a loan of \$800,000 for sewerage work during the coming year.

I respectfully recommend the passage of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 27, 1922.

To the Honorable the Mayor:

I respectfully recommend that the City Council be requested to appropriate the sum of eight hundred thousand dollars (\$800,000) for the construction of sewerage works in this city during the present year.

Yours respectfully,
T. F. SULLIVAN,
Commissioner of Public Works.

Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the sum of \$800,000 be and hereby is appropriated, to be expended under the direction of the Commissioner of Public Works for sewerage works, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mrs. Ralph L. Bostwick, for compensation for injuries caused by a fall at 90 M street.

Morris Lewis, for compensation for injuries received from a fall on stairs at the Winchell Schoolhouse.

Charles O'Neil, for a hearing on claim for injuries caused by a fall at corner of Fourth and Pacific streets.

F. H. Richenburg, to be reimbursed the amount paid for edestones bought from the city and not delivered to him.

H. Slessinger & Son, to be paid for a plate glass window at 73 Dover street, by an employee of the Sanitary Division.

Blanche Congdon, for compensation for personal injuries received by fall on Tremont street, opposite West street.

Executive.

Thomas Bride, for retirement under the provisions of chapter 765 of the Acts of 1914. International Exchange Corporation Loan Association, for permit to sell, rent and lease firearms at 115 State street, Ward 5.

STORAGE OF GASOLENE.

Notice was received from the Street Commissioners of the following applications for storage of gasolene, viz.:

Florence A. DeVizia, 9-23 Griggs street, Ward 25, 3,000 gallons.

Frank Perroni, 1067 Bennington street, Ward 1, 1,000 gallons.

Placed on file.

NOTICE OF CONTRACT.

Notice was received from Joseph P. Manning, as required by law, of interest in contract with the Institutions Department.

Placed on file.

NOTICE OF REMOVAL.

Notice was received from the City Clerk, through the Mayor, of removal of Edward B. Dailey from the office of Assessor.

Placed on file.

NOTICES OF APPOINTMENTS.

Notices were received from the City Clerk, through his Honor the Mayor, of the following appointments, viz.:

John H. Dunn, as temporary assessor, in place of Edward B. Daily.

Neal J. Holland, as Assessor.

Frank P. Rock, Superintendent of Supplies.

Placed on file.

NOTICES OF CONFIRMATION.

Notices were received of the following confirmations by the Civil Service Commission, viz.:

Thomas P. Glynn, Schoolhouse Commissioner.

Dr. Francis X. Mahoney, Health Commissioner.

Placed on file.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for seventeen newsboys and two vendors—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the

payment of aid to soldiers and sailors and their families in the city of Boston for the month of February.

Report accepted; order passed.

CITY CHARTER LEGISLATION.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston is opposed to any change in the city charter without a referendum attached to any such legislation.

Ordered, That a copy of this resolve and order be sent to the President of the Senate and the Speaker of the House of Representatives.

The question came on the adoption of the resolution.

Coun. WATSON—Mr. President, I am going to ask a suspension of the rule for the passage of this resolution. I want it distinctly understood that in speaking in favor of the resolution I have no personal interest. I am satisfied that whatever the people want they should have. If the people of Boston desire a new method of electing their legislative branch, and so express themselves, even by a majority of one, I consider that that is their desire and their right, and I bow to their will. But in 1920, less than two years ago, the same interests that are responsible for the act that is now being considered in the Legislature by the Committee on Metropolitan Affairs, succeeded by logrolling and other methods in having submitted to the people of Boston the identical bill that is now before the Legislature for its consideration, and at that time the sponsor of the bill, Mr. Lomasney of Ward 5, said that the people of Boston demanded a change in the method of electing members to the City Council. The members of the Legislature believed that Mr. Lomasney said what he thought was true, that perhaps he was correct in his assumption; but upon the matter being submitted to the people of Boston, the proposition was defeated by one of the heaviest votes ever cast in Boston—56,000 voted "Yes" and 79,000 voted "No." That was less than two years ago, at one of the largest polls ever cast in Boston. I think, although I may be wrong, that it was the presidential year. I have no objection to Mr. Lomasney, Mr. Innis of Ward 8, or the little man from Ward 16 who presumes to be the leader in Roxbury, taking action which will result in there being elected to this body men whom the people want; but I am against permitting any bosses or leaders to assume to themselves the duties of citizenship, presuming to think and act for the people of any district of the city or of the city as a whole, without the people being permitted to approve or disapprove. I have no quarrel with Mr. Lomasney. He owes me nothing, and our accounts balance—I owe him nothing. I ask him for nothing and he asks me for nothing direct, but he does occasionally through his lieutenant, John I. Fitzgerald. I have no fault to find with Mr. Innis. He is a great, substantial friend, if you are with him. If you play the game as he desires and are subservient to his wishes, requests and demands, when there is something that you want, Mr. Innis will get it for you. He is a powerful factor in city, state and nation. But I don't happen to be on his visiting list, either. Ward 8 has already spoken on this proposition. Ward 8, by a vote of 5,093 against 1,700, a majority of 3,300 votes, voted "No" on the proposed change, because they had Coun. Lane here to protect their interests, as he does protect their interests and that of people in other sections throughout the city. By the way, there are only five wards in Boston, I think, that voted "Yes" on the proposed change in 1920. Ward 1, by a majority of 1,000, voted for the change; Ward 2, by a majority of 1,400, voted for the change; Ward 3 and Ward 4, in Charlestown, each voted for the change by 1,000; and Ward 5 by 2,500; Ward 9, in South Boston, gave a bare sixty-seven vote in favor of the change; Ward 16, the ward that Mr. Adlow represents in part, as best he can, cast a vote of 1,300 against the change, despite his advocating the proposition. I might go down through all the wards, and the result would show the same condition. I do not object now to the question of changing the Council's make-up or to the redistricting of Boston, or a change in the system. I shall be very glad to see a change, provided the people of Boston want it, but this bill in the Legislature is going to be rushed

through, and it will be signed by Channing Cox. I believe it will be signed by him, because when Innis says the word Channing Cox does the bidding of Charles H. Innis, fearing otherwise his political future. A strong, powerful Republican leader is Charles H. Innis, strong locally and in national affairs—a big man, close to the administration in Washington, a man who had much to do with the removal of Wilson, the prohibition agent of Massachusetts, and who does not hesitate to boast about it. He is powerful, tremendously powerful. I respect his power and I feel it occasionally, but we are friendly, as are Lomasney and myself. But I have been brought up in a different school from those gentlemen. I have been brought up to believe that the constitution guarantees me the right to be one in a community and no more. The constitution provides that each one of our citizens is a king unto himself. We look up to no sovereign, no king, in political affairs or other affairs. That has been my dogma for years, and I am going to pass off this earth, God willing, feeling the same way. The day of bosses and leaders who do not lead, has gone by. The people are asserting themselves, and I will say now that, unless the Republican party keep their hands off Boston and legislate for the public as a whole, stopping the passing of legislation to satisfy their political desires and their own selfish interests, in place of Channing Cox on Beacon Hill as Governor you will have a Democratic Governor, provided the Democrats pick up a man of sufficient calibre. People are watching Beacon Hill. In the past at times it has not been watched quite closely enough. They used to call this the "steel factory" once. Now, this is just an annex compared with the chief "steel" department on Beacon Hill. Where the people's rights are bartered, without thought of their interest, we cannot expect anything except what we see. The public receive no consideration at their hands, except to those who are interested in State street, the vested interests, the Edison and the gas companies, the street railways and the steam railroads. The people have no thought given to them by the leaders unless those who are at the head of those great interests speak a word for them, and they seldom do. I hope I have said something that is going to get under the skin of some of the sleepy members of the Legislature from North Adams, Billerica, Topsfield, Barnstable, Scituate and other places, waking them up to the fact that the Hub of the Universe, the capital of New England, Boston, had had its interests jeopardized too much and too often. The people of Boston have confidence in us, they have confidence in his Honor the Mayor. That was proven in the last election. They have shown their confidence in us as in the new members—Gilbody and Walsh—and they certainly showed their confidence in Donoghue, in re-electing him despite tremendous opposition. In the past Lane has been re-elected, Ford has been re-elected, Moriarty has been re-elected, and so has Hagan. I have been re-elected three times to this body. I believe that is some indorsement showing that the people are satisfied with the kind of government they receive at our hands and the hands of the Chief Executive. You, sir (referring to President Brickley), will be a candidate for re-election next year, and in all probability you will be returned. The people get the kind of government they desire, and I believe we have given them the proper kind. I believe in popular representation. I sat right over there, Mr. President, when the reporters' table is, with twelve other members of the body of seventy-five, in 1898 and 1899, and my political dogma then and now are identical. I care not for the leaders of Boston. I take my fights to the people, and they have usually stood by me when I was right, and when they thought I was wrong, they saw fit to vote accordingly. I am not at all satisfied, I might say, with this present form of government. I would like to see a representative board, by districts. But why should Ward 5, Martin Lomasney's ward, have a single member of this body, and why should Ward 7, Charles H. Innis' ward, a Republican ward, have a single member? Why should Ward 6, at the South End, have a single member, and why should the aristocratic ward you represent, Mr. Lane, have a member by itself? Why should Wards 1 and 2 in East Boston have but one member? Why should all the other twenty-two wards of Boston have only a partial representative, one for each two wards? Why? I know, because Lomasney and Innis want a body of but fifteen members to do their business with here, and that is the way they wish to have it arranged. They do not want any one in this body. They control some

pretty nearly. I didn't point at anybody—I merely looked. They do not control one member of this body to the limit. Adlow wants to link up Wards 13 and 16, to get a Republican member of the Legislature. I vote in Ward 13, and if there is an opportunity under this proposition I will lick Adlow or anybody they run in my district, and it is a Republican district. But I can get 90 per cent of the votes against Adlow or anybody they want to run, if this thing goes through. I am not afraid of them. They know me in Roxbury, and they are beginning to know me down here, too. Lomasney and Innis, a fine combination. I appeared at a hearing before the committee, and Martin and I had a little back and forth, as you saw in the papers. He took it good-naturedly, as I did. He said he never asked a favor of me. I say now that he can thank me for one vote that was cast for the occupant of that seat where he now sits, sir, in 1899, for Daniel J. Kiley as president of the Old Common Council. He was a Lomasney man, and I voted for him. The body then consisted of thirty-seven Democrats, twenty-seven Republicans, and Jerry Watson. I was elected as an independent. I was an independent then, and I am an independent now. I told him also that John I. Fitzgerald came to me for favors. He said, "That is not me, Jerry." But where is the difference? John I. Fitzgerald is Martin's president of the Democratic City Committee, Martin's man Friday. Why, of course, he has asked us all to do things. We voted here for the claim of a man named Thomas F. Goode, \$5,000. Who lobbied for it? Why, John I. Fitzgerald. They have to look out that they don't scratch me too deep, or I will tell things. Oh, Adlow. Just look at that little fellow! His good old father, hard working, industrious, was able to acquire some property in Roxbury. His mother, too, was a good, honest, hard-working woman. Both of them came from Russia, and by hard work they succeeded over here. I give them credit for it. The father finally ran a place where he sold baby carriages and second-hand stuff, and he kept things going and finally got up to the point where he was able to send the boy to Harvard College and give him an education. Then what happened? He goes to the Legislature, and when he gets there he forgets his poor old father. He forgets that his poor old father and mother were immigrants from Russia. They came here to get away from an oppression. They came here for freedom, for the right to live out their lives as they saw fit, away from any oligarchy or king. But what becomes of young Adlow? Why, he simply becomes a little snob. Harvard College ruined the son of a good father and mother. He goes to Harvard, gets an education that is paid for by the toil of his father and mother, and comes out a snob. But, never mind. Roxbury will take care of Adlow. I promise you that. I have talked with those who have influence enough to know. If the Republicans nominate a good, clean Republican, we will try hard to get the Democrats to endorse him, and take care of Adlow. Now, I will say one thing, further, and I am through. I want Lomasney to know that there is one member of this body who does not care a snap of his finger for him, politically. Personally, he is all right. Adlow is on the subcommittee appointed on motion of Mr. Lomasney, a subcommittee of the Committee on Metropolitan Affairs, to bring in a draft of a bill, Mr. Lomasney is on that committee, and so is Adlow. Sutherland, Innis's creature from Ward 7, is on it, Thomas Green, the Senator, is on it, and so is Francis, a Democratic member from Charlestown. They do not dare to vote on the floor of the Legislature against a referendum on that measure, although they are recommending it back to the full body committee without a referendum; and I believe, I have been informed today, although I don't know whether it is correct or not, that the bill has been reported. Is that right, Mr. Ford?

Co. n. FORD—Yes.

Coun. WATSON—I was told an hour ago, on the phone, by a staunch member of the Good Government Association, that the subcommittee was in favor of a bill under which we would have fifteen representative councillor districts, a bill similar to the one that was defeated two years ago by a majority of 23,000 votes. Well, Mr. President, I would simply say that Democrat Francis, Democrat Green and Democrat Lomasney are against the most important and vital principle that the Democratic party stands for, the referendum on important legislation. Lomasney dares to vote against the referendum, because he holds in the

palm of his hand the poor creatures of Ward 5. Sutherland dares to do it, because Charlie Innis holds in the palm of his hand the creatures of Ward 7, although Ward 7 voted by 3,300 majority against such a bill. And yet Sutherland goes to work and suggests submitting it to the Legislature without a referendum. As for Francis and Green, well, they have got their troubles ahead of them if they dare to vote "yes." They will vote that way because they want to go to the City Council from Wards 3 and 4, however. They are not big enough to be elected at large, and they don't dare to run at large. As for Wards 1 and 2, well, I don't know how Ahern will vote, or Cox the Republican, Cashman, or Sullivan of Ward 1. But if they vote against the referendum and for this bill, it is because not one of the four could go through the city and be known outside of their own little dunghill. Now, Mr. President, I have not said much. I have been very mild about it. But I am going to ask for a suspension of the rule in order that this order may go upon its passage at this time. I want to say that I am not opposed to district representation, but let it be proper district representation. I ask you, in conclusion: Is it fair to Coun. Donoghue, Coun. Walsh and Coun. Gilbody, after making a campaign for election and re-election, and being elected for three years to this body, to take two years away from their term because some of the political leaders desire to supplant them with somebody else? I say it is unfair. So far as I am concerned, my term expires this year, and Jerry will take care of himself when the time comes. I am getting rather old, but I have some "pep" left yet. Oh, the old days! I am rather surprised that a few of the other members haven't a speech prepared on this matter. I did not prepare this, but I am satisfied with it. I am going to ask the members to pass this resolution unanimously under the suspension of the rule, by a yea and nay vote, Mr. President.

The rule was suspended and the resolution was passed, yeas 9, nays 0.

COUNTY EMPLOYMENT OFFICE.

Coun. WATSON offered an order, That his Honor the Mayor be requested to consider the advisability of establishing a County Commissioners' office for the employment of people out of work.

Coun. WATSON—Mr. President, I offer this order for what it is worth. It is not my idea. It is an idea suggested by the editor of the Boston Herald. I do not object a particle to having it go to the Executive Committee, and we can then invite Mr. Robert Lincoln O'Brien to come down and tell us what is needed. I think myself that we have enough employment bureaus, and that what we want are jobs. Still, he used my name editorially last Tuesday, and I ask unanimous consent to have this editorial from the Herald printed in our minutes.

The editorial referred to by Coun. Watson is as follows:

"IS SUFFOLK COUNTY ASLEEP AT THE SWITCH?"

"We venture to call the attention of the municipal councilmen of Boston, who are *ex officio* County Commissioners of Suffolk County, to a strange neglect of official propriety on their part. Suffolk County is now maintaining no free employment agency. This is a gross oversight. We shall have only three such institutions operating in Boston when the new Mayor gets his public employment agency into being.

"The state of Massachusetts has for fifteen years maintained a free employment agency, issuing bulletins full of suggestions. It was for many years on Kneeland street, and recently removed to Pearl, to be nearer the business district, incidentally for the greater convenience of its own employees.

"The United States Government, the benevolent mother of us all, maintains a free employment agency in upper Tremont street. It does this in some collaboration with the state agency.

"Mayor Curley is about to start a third agency. Of that we have no criticism. It will certainly give some employment—to those who are employed within its own walls—and that is, after all, the chief utility of such enterprises.

"But where is Suffolk County? Should we not have a county employment agency, when you

consider the number of unemployed in Suffolk County? What is the Hon. James A. Watson, at one time president of the municipal council, thinking of to allow so serious a neglect on the part of the county to proper relations to a broad and intelligent citizenship?

"We have no objections to the three employment agencies, soon to function in this city. Our only criticism is the absence of the fourth."

The order was referred to the Executive Committee.

CHANGE IN NAME OF BRIDGE.

Coun. WATSON offered an order—That his Honor the Mayor be requested to consider the advisability of consulting with the officials of the city of Cambridge with the view of changing the name of the West Boston Bridge to Longfellow Bridge.

Referred to the Executive Committee.

WILLIAM J. LALLY SQUARE.

Coun. WALSH offered an order—That the open space at the junction of Cambridge street, Harvard avenue and Franklin street, now known as Allston square, be named William J. Lally square, in memory of William J. Lally, who died in the service of the United States during the World War.

Passed under a suspension of the rule.

RICHARD T. RITCHIE SQUARE.

Coun. WALSH offered an order—That the open space at the junction of Commonwealth avenue and Brighton avenue be named Richard T. Ritchie square, in memory of Richard T. Ritchie who died in the service of the United States in the World War.

Passed under a suspension of the rule.

WILLIAM F. SMALL SQUARE.

Coun. WALSH offered an order—That the open space at the junction of Brighton avenue and Harvard avenue, Brighton, be named William F. Small square, in memory of William F. Small, who died in the service of the United States during the World War.

Passed under a suspension of the rule.

EDWIN M. CUNNINGHAM PARK.

Coun. WALSH offered an order—That the Park Commissioners be requested, through his Honor the Mayor, to name the park at junction of Murdock, Cambridge and Sparhawk streets Edwin M. Cunningham Park, in memory of Edwin M. Cunningham, who was killed in the service of the United States in the Spanish-American War.

Passed under a suspension of the rule.

TRANSFER OF PARK.

Coun. WALSH offered an order—That the Board of Park Commissioners be requested, through his Honor the Mayor, to report to the City Council as to the advisability of transferring the land in Brighton known as "Wilson Park" to the custody of the Public Buildings Department, for the purpose of providing a municipal building site for that district.

Referred to the Executive Committee.

PLAYGROUND, FOREST HILLS.

President BRICKLEY offered an order—That the Park Commissioners be requested, through his Honor the Mayor, to send to the

City Council an estimate of the cost of a playground site, and location or locations, in Forest Hills.

Passed under a suspension of the rule.

PENSION FOR MICHAEL BATH.

President BRICKLEY offered the following:

Resolved, That the City Council of Boston favors legislation for a pension for Michael Bath of Charlestown Courthouse.

Referred to the Executive Committee.

HOLIDAY, EVACUATION DAY PARADERS.

President BRICKLEY offered an order—That the heads of departments be authorized to allow all city employees who participate in the Evacuation Day parade, March 17, a half-holiday without loss of pay, in part compensation for their services.

Referred to the Executive Committee.

PENSION FOR RICHARD A. FRIEL.

Coun. DONOGHUE offered the following:

Resolved, That the City Council favors legislation for the pensioning of Richard A. Friel.

Passed under a suspension of the rule.

PRINTING OF DOCUMENT.

Coun. LANE offered an order—That the resolution concerning the opinion of the City Council of Boston, as to the sale of beer and light wines, be printed as a city document, said resolution having been passed in the municipal year of 1921.

Passed under a suspension of the rule.

CORNELIUS T. MAHONEY SQUARE.

Coun. GILBODY offered an order—That the name of Hyde square be changed to that of Cornelius T. Mahoney square, in memory of said Mahoney who died in the service of the United States during the World War.

Passed under a suspension of the rule.

WILLIAM J. MULHERN SQUARE.

Coun. GILBODY offered an order—That the space at the junction of Bowdoin and Quincy streets, Dorchester, be named William J. Mulhern square, in memory of said Mulhern who died in the United States service during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

LEONCE C. BURKE SQUARE.

Coun. GILBODY offered an order—That the space at the junction of Hendry and Bowdoin streets, Dorchester, be named Leonce C. Burke square, in memory of said Burke who died in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 3.48 p. m., on motion of Coun. GILBODY, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 6.05 p. m.

COMPLETION OF STRANDWAY.

The following was received:

City of Boston,

Office of the Mayor, February 27, 1922.

To the City Council:

Gentlemen,—I beg to present for the consideration of your honorable body the accompanying orders providing for the rescinding of the order passed August 22, 1921, and one passed January 31, 1922, authorizing the purchase of a site and erection of building for gymnasium in South Boston.

The site has already been purchased and, with the exception of engaging an architect, nothing has been done in the matter of advertising for proposals for the completion of this work. I submit to your honorable body that the most essential and immediate work that should be conducted in the South Boston district is the completion of the Strandway.

The completion of the Strandway will entail an expenditure of \$750,000, but will make available for the general public the use of what gives promise of being, on completion, the best salt waterfront park in the United States, if not in the world, and this work, I believe, is more important at the present time than the contemplated gymnasium.

It is my purpose further to provide, at the earliest possible opportunity, for the establishment of a health unit on the site of Station 6, Broadway, and an appropriation for the enlargement and improvement of the M Street Playground.

All three of these improvements being more important and of greater benefit to a larger number of persons, I respectfully recommend the adoption of the accompanying orders.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That so much of the loan order authorized August 22, 1921, for the purchase of a site and for the erection of building for gymnasium in South Boston, as has not been issued, amounting to \$150,000, be and the same is hereby rescinded.

Ordered, That the loan order for \$118,000, authorized January 31, 1922, for the purchase of a site and for the erection of building for gymnasium in South Boston, be and the same is hereby rescinded.

The message and the accompanying order was declared referred to the Committee on Finance.

Coun. WATSON—Mr. President, I am going to move a reconsideration of the reference. I thought it was pretty well understood that the plan the Mayor had for the development of the Strandway and finishing of it, according to plans furnished by Arthur Shurtleff, landscape architect, calling for the expenditure of a large sum of money, was agreeable to the whole Council. All were present through the entire talk with his Honor the Mayor, with the exception of Coun. Hagan and myself. Coun. Hagan came rather late. But I did inquire what took place before I arrived. I left before the thing was concluded, but I judged from the tenor of the words of those who stayed there that the Council agreed to the proposition, in view of the fact that it meant employment within sixty days for a large number of veterans of the war and other people who might want work, unskilled labor. Seven hundred and fifty thousand dollars would be the amount to be expended, provided we rescinded this vote which entails an expense of over \$200,000 for the public building over there. I think that delay is unnecessary. I think the occasion demands immediate action. The Mayor has already stated that he desires to relieve the unemployment situation, and the president of this body said when he was elected that his duty would be to co-operate with the Mayor in his efforts to do these things. I am satisfied that he intends to do so. We should not delay this one day.

President BRICKLEY—I wish to say, repeating what I heard the Mayor state, that he told us to sleep over it. I am soaking only as one member of the body, and the others can state their position.

Coun. WATSON—I don't know what the Mayor told you, but when I was there he told the gathering that he wanted immediate action on the matter. If he told you that he wanted you to sleep on it, you probably know what it means more than I do.

But if he wants action, wants to relieve the situation, days count, minutes count. If the Chair and other members have the demands upon them for employment that I have—and I know they do—they must be aware of the necessity of Boston starting the ball rolling. We have no means of knowing what a delay of seven days may mean. If this is put over to the next meeting, it may mean two weeks' delay, three weeks' delay. Using the words of the councilor opposite (Coun. Gilbody), in speaking about tanks in Dorchester, it would mean murder practically on the part of this body to delay action for one moment, delay that might result in unemployment of those who need employment. There should not be an hour's delay. I think the other councilors here agree with me in their hearts. Why handicap Mayor Curley? I don't think it is the intention of the Council to do that, but you are going to do it if you delay a week. As I say, a delay of a week may mean a delay of two or three weeks, or a month or more. The Mayor said that this would mean getting action within forty days at the earliest and sixty days at the latest. So if we delay action on this Strandway improvement in South Boston, seven days delay making the maximum time sixty-seven days instead of sixty days. I do trust that we will reconsider or rescind the vote referring this matter to the committee, and that we will act upon it to-day. I trust that the vote of the members of the body will be in the affirmative.

Coun. LANE—Mr. President, I hope the reference will stand. I was present in the Mayor's office. Mr. Watson says that he was not there at the first part of the meeting, and he left before it was over. His Honor the Mayor first spoke of this proposition, and then said he wanted the Council, particularly the two members from South Boston, as they were vitally interested in the building that it had been proposed to erect over there, to have time to consider it. He said, "I want you to listen to the proposition I am about to lay before you, to hear Mr. Shurtleff, and then to sleep on the question and see if you do not agree with me." Now, this question involves \$750,000, and I don't think we have a right here in this Council to listen to a thing, even when explained by Mr. Shurtleff, and come here immediately and vote \$750,000 without some mature consideration. I sincerely hope and trust that the reference will remain, and that we will act upon the matter at our meeting next Monday.

Coun. DONOGHUE—Mr. President, I would like to know just where we are at on this proposition. I have just listened to the wording of the communication, and I don't think that by sleeping on the proposition we are going to be in any better position to make up our minds whether or not this Strandway should be continued. I think we have all agreed for a long time that the Strandway should and ought to be completed. At this particular time, with so many of our citizens out of work, and with the present Mayor of the City of Boston saying that citizens will be given preference on all work let out by the city, I think we have an opportunity to do something constructive to help the citizens of Boston. Delays are dangerous, according to an old axiom that we have listened to from childhood. I don't think we need further time to consider the proposition. We don't have to wait a week in order to be able to vote intelligently in regard to the development of the Strandway. We will know no more about it at the end of the week than we do now. I would like to ask, first, whether another or a separate communication has been sent in on the \$750,000 for the Strandway development?

President BRICKLEY—A loan order was sent in and referred to the Committee on Finance before the recess.

Coun. DONOGHUE—That is what I thought. Now, this order relates to an entirely different proposition. While the Mayor has linked the propositions up together, saying he would like the Council to rescind their previous action in regard to the municipal building at the lower end of South Boston, I think he gave some very substantial reasons for his position. This development of the Strandway is a separate proposition, as I view it, and it is in the nature of a loan order. We can act on the \$750,000 order for the Strandway, and don't necessarily have to act on this other order that the Mayor wishes us to rescind. I am perfectly agreeable to allowing the second order, just read, to go to the Committee on Finance, for consideration, but I think the \$750,000 ap-

propriation for the Strandway represents a much needed improvement. As they told us in the Mayor's office, both Mr. Shurtleff and the Mayor, they have plans for making that section of South Boston and Dorchester one of the leading beauty spots of the world. The waterfront will be developed in South Boston and Dorchester to such an extent that, in my opinion, there will not be another section of the country that will have such a beautiful landscape and waterfront as Boston will have for its citizens. I would like to move at this time that we rescind or reconsider our action referring the \$750,000 loan order to the Committee on Finance, so that we may act upon it at this time.

President BRICKLEY—That motion is out of order until Coun. Watson's motion is acted on.

Coun. WATSON—Mr. President, Mr. Lane spoke about \$750,000 being involved. As a matter of fact, there is a large sum involved, but not \$750,000 in this particular matter. It amounts to about \$268,000. I understand from the Mayor that he proposes to use this \$268,000, making up the \$750,000 for the Strandway. That is what he wanted it for, and then he was going to try to use some of the Parkman money, some other money, in the matter of the Strandway development. Now, if the other members of this body are satisfied to vote for seven days' delay as a minimum, that is their hunch and not mine. As for the \$750,000 that Coun. Lane speaks about, no amount of sleeping or action on our part will change our minds a particle, in my opinion. It is a plain, bald matter of fact. It is proposed to utilize this money for the development of the Strandway according to the plan submitted by Arthur Shurtleff, whom I have met before the Executive Committee some years ago. He is one of the leading landscape architects of the City of Boston, bar none, a protégé of Olmsted Brothers, who are considered at least equal to the best, if not the best in the world. I am willing to take that gentleman's statement concerning this matter, and I want to pay a little tribute to Mr. Shurtleff. He said he did not want to claim all the glory for the plans, that there was enough glory for all. He said that not only the present Mayor but the previous Mayor was entitled to some credit in the matter; that Ralph Cram of the Planning Board, one of the leading architects of the world, had a part in it, and that the Park Commissioners had a part in it. The Street Department had also joined in, as well as the Boston Society of Architects, who praised the development and the plan. They showed us an elaborate lot of drawings, and so on. Why, there was even a quibble about the bath house on the beach. Somebody wanted it in Dorchester, or 100 yards nearer Dorchester, and the people of South Boston wanted it where it was, because it was nearer South Boston. They even quibbled about that. I don't know what they want, next. I want employment for the unemployed. I don't want it half as much as the Mayor does. Anybody who goes to his office can see the hands of men unemployed, men who were wounded in the war, old men and young men, war veterans and others, women interceding for their husbands, sons or brothers. You would have to have a heart of steel if you stayed one hour there and saw the procession of unemployed coming in, without being strongly affected by it. It may be considered by some serious-minded members here, those with a legal trend of mind or with a one-track mind, perhaps, that there should be delay in this matter. Let those whom the shoes fit wear them. It may be that their jobs don't fit them. I say frankly that I know at least one member of the body who by his action has proven that public office is not a public trust. Let them come in here day in and day out and go through what Morarty, myself and others go through, instead of hiding behind their office doors and having their secretaries bar out men seeking employment. Their job is a cozy job compared with ours. I say that the public demand, whether they voted for Curley or not, action on the part of the legislative branch of the City Council which shall uphold the hands of the Mayor when he is right. I will be the first man to break with him when he fails to take the right position. But nobody in this body can deny the virtue contained in this proposition of rescinding the previous vote and devoting \$750,000 to this purpose, for a great public work, and to help the unemployed, your comrades, your pals, Mr. President, and Coun. Gilbody. They did their duty, and they should not now be compelled to beg employment through

you and me. They are men willing to work, and they are demanding work beseeching us for work, men who are compelled to go upstairs and to be put through the third degree in order to receive a little money to help them through, to help them support their loved ones, brothers, sisters and children. What is the use of our quibbling on this matter? Come out in the open. If you don't want Curley to do this, say so; if you don't want to help your comrades who need employment, say so. Seven days' delay may mean fourteen days' delay, and I have seen these things string out time and time again in my experience. I am not a spokesman for Curley, and don't propose to be. I see him less and ask less of him than any member of this body. He owes me nothing, I owe him nothing. But I do owe something to my constituents, and as long as the Mayor of Boston—be he Peters, Curley, or whatever his name—is progressing along lines that commend themselves to me, he will have my support. I proved that during Mayor Peters' term of office I trust now that the vote whereby we voted \$268,000 for the municipal building in South Boston, on land already purchased, will be rescinded.

Coun. MORIARTY—Mr. President, I want to say that during my four years as a member of this body I have always been able to come to my own conclusions, and if God allows me to remain on earth I intend to continue to do that in this body for one year more. I understand today that a bill has been reported by a committee of the Legislature to legislate us out of office, so that, if it goes through, will cut off one year from my term. During this next year I am going to do what I have done during my other four years of holding office, come to my own conclusions in my own way. Some year and a half ago the D Street Gymnasium, so called, being on state land, was ordered off by the state. Sometime better than a year ago they started to demolish the D Street Gym, and through an agreement with John N. Cole of the Park Department, brought about by myself, it was agreed to allow that gymnasium to stay there for six months more. The Mayor of Boston, then Andrew J. Peters, promised me that if the D Street Gymnasium on the flats of South Boston was demolished, he would replace the gymnasium in that district for the people of South Boston. I had no more conversation with the Mayor in regard to that building, but he carried out his word, sending in here messages which resulted in the starting of that building. The Street Commissioners made a taking on Broadway, in which I had no part, and if I had had my way as an individual the taking would not have been made. The site of old Station 6 and the Parkman School land, owned by the city, was my selection for the erection of a municipal gymnasium and bath in that district. That was passed with the assistance of the vote of the member who has just taken his seat, on four different occasions, under loan orders. He now comes in here today and criticizes anybody for wanting an opportunity to take time. Why link the two propositions together? The Mayor did not state downstairs that he was going to spend one cent of the money now appropriated on the Strandway proposition. He said if this was rescinded it would go into the improvement of the N Street Playground. I think the members of this Council ought at least to show as much courtesy to the members of South Boston as the Mayor showed. The Mayor did say, after talking to the Council as a whole, that they desired to give special consideration to the two representatives from South Boston. The Strandway proposition, as an improvement, ought to be nearer and dearer to me than to any other member of the Council, for the reason that the contemplated improvement is near where I live. The bath house site selected, that he says we quibble over, is about at my back door. But I am not selfish in the matter, and would rather have it for the convenience of the people of Dorchester, whom I in part represent, nearer them and farther away from me than it is. So there was no quibbling. The Mayor asked us to come to his office. He asked us there for a purpose. He asked us there to look over the plans that were drawn by this landscape architect, and said that he sent for us to give suggestions. That is what we were there for. There was no quibbling, according to my idea. In so far as unemployment is concerned, if there is anybody who is holding public office today who is not pestered by those who are unemployed, I don't know how he is getting away from it. In so far as the man who has just taken his

seat is concerned, I want to say that the Mayor's heart is not any more open, no matter how wide open it may be, for those who are unemployed than mine is. I don't think I would be fair to myself to admit that even the Mayor had any more thought for those who are unemployed than I have. But, of course, I have not the opportunity. No member of the Council has the opportunity to place men at work that the Mayor has. Of course, he may have more people calling upon him in the matter. I have no quarrel with the Mayor. I do not feel that I want to bamper the Mayor in one iota. I want to be with the project that the Mayor has in hand for the next year. But I believe this, as a member of the Council, that I have a right, the same right that the councilor who has just taken his seat reserves for himself, to ask that the order be laid over to the next meeting.

♣ Coun. WATSON—Mr. President.

♣ President BRICKLEY—Does the gentleman yield?

Coun. MORIARTY—I yield, Mr. President.

Coun. WATSON—Mr. President, I thank the councilor for yielding. I wanted to say just one thing about the order that I wanted to lay over for a week, that there was a little bit of principle attached to that. They wanted to permit the Superintendent of Public Buildings to sell at public auction a piece of property owned by the people of the City of Boston for not less than \$2,500. There was not a member of the body who could tell me the valuation of the property. The principle is the same, whether it is a million or \$2,500. We ought to know whether land we are going to sell is worth more or less than the amount at which it is proposed to sell it. If it is to be sold for less than the assessed valuation, we ought to know why. There is no comparison whatever in the two matters. In fact, several of the councilors agreed with me that my position was correct in that matter.

Coun. MORIARTY—Mr. President, I have always understood in my time that, whether you agreed with a member of the Council or not, courtesy of the body required that when any member of the body required that a matter be laid over that be should be given that courtesy. But I want to say this. When it comes to a question of whether the city is losing money, let me state that the City of Boston has spent in connection with the proposed municipal building in South Boston \$40,000 for a site. And that is not all it has spent. There has been an architect hired, and the architect at this time is working on the plans and specifications for that building.

Coun. WATSON—He has been stopped.

Coun. MORIARTY—Well, he may have been stopped. I have not been close enough to the Mayor, even at the present time, to find out that that is so.

Coun. WATSON—The newspapers said so.

Coun. MORIARTY—But I want to say this, that it will be another proposition like Station 2, where another set of plans, paid for by the people's money, will be rolled up and sent the Commissioner of Public Buildings to be placed in the files and to accumulate dust and rot. There has been work done on those plans, a great deal of work, and after drawing up plans they went back and told the Mayor that they would be unable to build a gymnasium unless they received a further appropriation of \$118,000. So they must have gone pretty far into the question of the building. His Honor the Mayor said downstairs that he realized that some of the members, and I suppose that expression included the two members from South Boston, were interested in the gymnasium; that, to use his words, they were interested in their pet measures. I want to say, as far as I am concerned, that I am looking for no honor as far as the municipal building in South Boston is concerned, but I do say that there is also a bath proposed to be connected with this municipal building, and I say without fear of contradiction that there are fewer bathtubs in the bones of that district than in any other district of its size in Boston, not excluding the North and West Ends. There is some merit in the question of a municipal building and bath house in South Boston. The Mayor said that the Dover Street Bath House was close to that particular district. Yes, I would say that it is half a mile away, but I would not want to walk over Dover street to go there, and if you should try to walk over there now you would find the bridge closed, as it has been closed for some time. So I am not prepared to vote today. I think I have a right to go back and talk to some of the people who

were responsible for sending me here. I think I have a right to go to the people of my district and talk to them in regard to this matter, which has been under consideration for five years. We are old that there is danger in postponement. I don't think so, in this matter, if the story told to us in the Mayor's office is true, because the Mayor told us that he felt like going through with it five years ago, but did not do so. If he had gone through with it then there would not be the argument of unemployment to use in connection with this matter today. But the fact that he did not go through with it then, the fact that there was a postponement, has given an opportunity for that argument at this time. I want to say that I am in favor of the Strandway improvement, and I think it can be carried on, and I think also by some stretching of the line that the municipal bath house in South Boston may also be worked out. I don't think that the councilor who has just taken his seat would desire to injure the people of that district by any action of his which would possibly result in their not getting that gymnasium. I will be prepared to vote upon this matter a week from today. If circumstances compel me to do so, I will vote today, if I am not given an opportunity to get out and find out the views of some of the people of the district. But I would rather not vote today.

Coun. WATSON—Mr. President, will the gentleman permit me to ask him a question?

Coun. MORIARTY—I will answer any question I can.

Coun. WATSON—Mr. President, I would like to ask the councilor opposite, through you, if we do not take any action rescinding this \$268,000 order, and the matter goes to the regular committee, as he desires, will he favor recalling from the Committee on Finance the \$750,000 for the Strandway improvement?

Coun. MORIARTY—I did not get the trend of the question.

(The reporter repeated the question.)

Coun. MORIARTY—Mr. President, no, and I will state as my reason the fact that, in my opinion, the Mayor in his communication has tacked the recalling or rescinding of action on in the wrong place. I believe in everything he has said with reference to the importance of the Strandway proposition, and I am not going to get caught in between the wheels. In favoring one today, I am favoring both. Because he has attached to the South Boston gymnasium proposition a proviso that if we will go through with the Strandway he will wipe out the gymnasium, I am not prepared to take that vote. I am going to try, if possible, to save both of them, if I can find any way which will enable me to do it. If action is delayed, I am going to ask you members a week from today in committee to see it my way. If I am not able to do that, I may be able to bluff you, as one of the members said I bluffed the Mayor when I got him to send in the appropriation.

Coun. WATSON—Mr. President, do I understand that the gentleman will not vote for \$750,000 until he is assured that we will not attempt to rescind the vote on the \$268,000?

Coun. MORIARTY—No, sir, I have not made any such statement.

Coun. WATSON—All right.

Coun. MORIARTY—I will say this, to make it plain. I would like a few days to find out. I would like to consult with the people of that district. The people know that I have been interested in this matter. I called a meeting of every man elected in the South Boston district, those holding office and those who had been elected to office but had not been sworn in, in this room, at the time when they tried to demolish the D Street Gymnasium. They came here at my request. Everybody knows of the promise that was made to me, and I feel that I am justified and I think you will agree with me that I am justified—that if there is still an opportunity to go through with the Strandway at \$750,000 and also to get a municipal bath in that district—in trying to get them. I want to say just this word in conclusion, that I realize that the appropriation of \$750,000 for the Strandway is going to put skilled and unskilled men at work, and it is going to put skilled and unskilled men at work at the same job, laboring, whereas if we had some more building going on some of the men who will otherwise be compelled to go to work on the Strandway as laborers for some of the contractors who will get the job, getting but 30 cents an hour doing

laborer's work, will, if there is some mechanical work, get 30 cents an hour.

Coun. WATSON—Not lately.

Coun. MORIARTY—I think I make myself plain, that, on account of men skilled in the building trades, mechanics, not being able to get work they will be compelled to take a pick or shovel on the Strandway, whereas if the municipal building went through we might be able to put them at work at a living wage. We have contractors working for Boston today who are paying very small wages. I have no animosity against the present Mayor, and I have no knowledge of any job that has been let since he took the Mayor's chair, but I do know of contracts that were let under the Mayor who has just left us to contractors who are paying 30 cents an hour to laborers. If that is going to be the situation, it would be better to take the \$750,000 and give it to those poor unfortunates without their doing any work, if contractors are to be allowed to take advantage of the unemployment situation to buy men's labor cheap because their wives and children are hungry. This is a big proposition, a really big proposition. We don't know whether the City of Boston is going to do the work itself or is going to let it out by contract. I don't think any member asked the Mayor about that. I am judging as to the position I should take for myself, and am not speaking for anybody else. I believe we have a right to find out in regard to that matter. If the city wants to be fair and if the members of the Council want to be fair, we have enough machinery to put into operation a square deal for the men employed on this proposed work. We have over there an architect who they claim is one of the best in this country. Under his supervision the city can go in there without a contractor and can spread the money around so that, not as a flowery proposition but in a material way, we will help the unfortunates who are out of work.

Coun. WATSON—Mr. President, for the benefit of the councilor who has just been talking, I will say that during the snow storm I had men applying to me seeking employment, and they did not care how much per hour they received, they needed work so badly. I can produce inside of twenty-four hours 2,500 men, some with families and some who are veterans, who need work and who will work for anything that will provide meals for themselves and their families temporarily. I have not been pestered by people seeking employment, but I have been beseeched by people who need employment. I am out in that anteroom three hours every day trying to get employment of any kind for every man who comes to me, and I am getting awfully, awfully disappointed in the result. The councilor (Coun. Moriarty) opposite knows that a laborer cannot get a job on a municipal building as a skilled mechanic, and he also knows that the present Mayor has gone on record as intending to compel contractors to hire only citizens on contract work and to pay them the prevailing rate of wages as laborers, and the prevailing rate of wages, in the opinion of every sensible man, is the rate of wages paid to the city employees for the same kind of work. I have confidence in the Mayor, and I believe the gentleman has; but he is allowing his desire to protect his immediate vicinity to run away with a greater and a bigger proposition, his duty to the entire citizenship of Boston. The State of Massachusetts appropriated a paltry \$50,000 to relieve the unemployment situation in the Commonwealth, and a few men went to work two days chopping down trees, and received only \$3 per day. Fifty thousand dollars. Well, here is your proposition here. What does it mean? It means fifteen times \$50,000. The councilor who has just spoken says he does not propose to be linked up with the two propositions. Well, of course, he is playing safe, and I don't blame him much. But I think he is in error when he attempts to use this \$750,000 appropriation as—if I may use the term without any insulting reference—a club to secure a building on some land that the city owns, in order to make good on the gymnasium which he was promised and which he received. He tells about the plans being valueless. We are going to have that land for some little time. The councilor opposite knows that we cannot sell it for within 25 per cent of what the city paid for it, because nobody wants it. It is probably worth what the city paid for it for that particular purpose, but they will not be able to dispose of it by sale within 25 per cent of the price charged. The plans will always remain, and will be probably used on the present site and

later on, when we have attended to something feasible, not a dream, because after all the Mayor said he was willing to take the responsibility and that he was not passing the buck; he is the instigator, and the blame, if any, will rest on his shoulders, something can be done in the other matter. The gentleman opposite (Coun. Moriarty) is acting like a good many councilors even under the new charter, under which we were supposed to look out for the city as a whole, in the interest of the particular district where he lives, which is the object of Lomasney's bill. The gentleman is looking out for home, and hides with the rest of the city. I feel that way sometimes, too, but I try to curtail my tendency and not to give my hand away. But that is the way he is acting. Mr. President, I will not press the question here today to a vote. I will not attempt to embarrass anybody. But I think it was agreed upon downstairs with the Mayor that we would move speedily in the matter of the Strandway improvement. However, if the gentleman from South Boston desires delay on that magnificent improvement, six miles from my home and my neighbors, I have no objection. If I lived in South Boston, however, and they were going to give \$750,000 to beautify my home and the surroundings of myself and my neighbors I think I would make more speedy effort to help the thing along than they are making. This is a quibble, Mr. President, what is the use of talking? You know as much about the Strandway improvement as you will ever know. It is not a land grab. The city owns the land; nobody is going to hand land that is valueless to the city. I trust that when the vote is taken it will be unanimous.

Coun. MORIARTY—Mr. President, I want to say this, that I am not playing the game. I want to say here and now, whether the new Council bill goes through or not, that I am not a candidate for reelection, and when I say that I mean it. I am not like some other men sitting here in that respect, and nobody here is going to tack anything onto me in this meeting. I want to say to the councilor who has just sat down (Coun. Watson) that I as one man—and I am only going to speak for myself—did not agree to the thing in the Mayor's office, and that it was he who interrupted me from telling the Mayor my story when the Mayor deliberately asked me a question. The member who has just taken his seat butted in and did not give me an opportunity to answer the question that the Mayor asked me. I believe he will admit that that is true.

Coun. WATSON—Mr. President, I don't know whether I butted in or not, but I said a word, and as soon as Coun. Moriarty expressed himself I left the Mayor's office, walked out, rather than have any discussion.

Coun. MORIARTY—And, to show that he was playing the game for a local district, Mr. President, he said, "We haven't got a municipal building in Roxbury." If that wasn't playing the game, saying that Roxbury has not got a municipal building, I don't know what playing the game is. The councilor from Roxbury, according to his own words, has been re-elected three times to this body. I have only had the honor of being re-elected once. According to his words, I bluffed the Mayor into giving us a municipal building. Well, I never thought I was such a good bluffer, until he told me.

Coun. WATSON—You are not bad.

Coun. MORIARTY—If I was able to bluff the Mayor into giving South Boston a municipal building costing about \$400,000, I am some bluffer, and I think the people of my district, if the district bill does go through, instead of my seeking office, should seek to return me here to do some more bluffing. But I am not playing the game. I don't think I ever played the game here, and I think the councilor opposite will agree that I did not play the game under the last administration.

Coun. WATSON—You are no dummy. I will give you credit for that.

Coun. MORIARTY—No, I will agree that I am not a dummy, because I suppose, outside of yourself, it has cost the city more to print my statements than those of any other member of the Council. I will take off my hat to you in that respect, but outside of you, I will not take off my hat to anybody else, because I think I run second to you. But I want to be sincere in this matter. I don't want anybody to feel from my action today that I am trying to hamper the Mayor one iota, because I wish to be with the Mayor on everything he favors that I think is right. I have got the courage of my convictions to be against him on everything that I think is wrong, I think that is what the people elected me to sit in this body for.

I don't feel that I am any saint. It will be nothing new if the newspapers tomorrow quote me as one of the people responsible for holding something up. They have said so at other times since I have been a member of the Council, that I held matters up. That has been said by the *Herald* and other papers at times. But I did hold certain things up that I thought should not be passed, and I was helped by the hammering they gave me on that point. So perhaps I am looking for some more hammering. I agree that personally I live in South Boston, and I am proud of the fact. The people of South Boston have honored me, and I think I am doing my duty to the people of that district where I live in taking the stand I do here today. I am acting in their behalf in every action I take and in every utterance I have made in this matter. But I am not going to let anybody say that I am playing the game on this proposition, as I don't wish to be hooked up in the minds of the outside public with the idea of playing the political game to keep them out of employment. I want to say this in conclusion. I think perhaps the councilor opposite (Coun. Watson) and myself may today have differed more strongly than I have differed with him in my four years in the Council. I hope to see the time when Coun. Watson or any other member of the Council, or anybody else elected to office, will not have to suffer the spectacle of men coming to them and saying, "My family and myself are in such and such a condition, so that I will go to work for any price." I don't like to see a situation of that kind; that is not my make-up. I want men to get the real price, and perhaps we might be able to get the Mayor to see that it would be better for the city to take over this entire project and do the work itself. Then the men will get a living wage, and we will know that they will do so, because we will have an opportunity to look at the pay rolls. A laborer will get \$4 a day because that is a laborer's wage in the city. Everybody knows that any man who goes to work as a laborer, an able-bodied man, is delivering more for \$4 today than he ever delivered before in his life, because if he did not deliver it he is afraid every minute that one of the other poor unfortunates who is out of work will be getting his position. So there is merit, I think, in the suggestion I make here, real merit. I trust, as one member of the Council, that I might be able to bluff this Mayor into seeing it from my point of view, so that the city may take over work of this sort and hire the men themselves. We all know the situation. All of us realize it, in the case of our own friends and families, and men who come to us looking for help. Councilors Brickley and Gilbody know the situation that many of their brother veterans are in, perhaps members of their own family, who have to go up here to the top of the building and go through the third degree in order to get assistance.

Coun. WATSON—They do, don't they?

Coun. MORIARTY—Absolutely. Possibly the position I am taking in this matter will not be sustained by the other members, with one exception which would be Coun. Donoghue, because I believe Coun. Donoghue was the only one who went upon the floor and stated that position, that the city should itself do work and hire its own men. He is upon record in that matter, as a means of dealing with the conditions which face us here today. I am stating his position from memory, and I don't think I am wrong. I like to give credit where credit is due. I think Coun. Watson if he knew that it was possible for them to be employed by the city, so that they could work on a job and get \$4 a day instead of working for a contractor for 30 cents an hour would gladly welcome it. Perhaps I have had a little bit more experience in some of these matters than other members of the Council. I think the other members will agree that that is so, when it comes to dealings between employers and employees in the matter of wages. There is not one man on the State Board of Labor and Industries who will definitely say what is the prevailing rate of wages for a laborer. They will give it for a mechanic, but not for a laborer. I want to say this, notwithstanding the supposed holding up to the customary and prevailing rate of wages, that today the Transit Commission have got men working on the East Boston tunnel under the prevailing rate of wages of the respective crafts dealing with the different kinds of work.

Coun. WATSON—Laborers.

Coun. MORIARTY—And mechanics.

Coun. WATSON—Laborers, too?

Coun. MORIARTY—Yes—although I won't say about laborers. I think they are getting \$4 a day. I think this proposed improvement over

in South Boston would be a big proposition for laborers, if they could work for the city. I wish to say just one word more. In the communication that comes from the Mayor he says:

"I beg to present for the consideration of your honorable body the accompanying orders providing for the rescinding of the order passed August 22, 1921, and one passed January 31, 1922, authorizing the purchase of a site and erection of building for gymnasium in South Boston. The site has already been purchased, but, with the exception of engaging an architect, nothing has been done in the matter of advertising for proposals for the completion of this work."

I want to say that I had one conference with the architect. This was under the outgoing administration. I know that there had been a lot of work done on it, and that there was still so much work to be done that they had come back through the Park Department and the firm of Newhall & Blevins, the architects, with the information that they needed more money to carry out the proposition. I want to say this, that I was partly responsible for the building, but I was not responsible for picking the architects. So I have no irons in the fire. As far as I am concerned, I did not pick the architects, and I am not going to receive the customary fee of those who do pick architects.

Coun. WATSON—How about the land?

Coun. MORIARTY—I will say that I am absolutely not responsible for the site. If I had had my way they would not have picked the site that the building is to go on. The site I favored was the site owned by the city, as old Station 6, and the Parkman School, so that the land would not cost the city any money. So far as the site in South Boston is concerned, I am absolutely not responsible for it. I didn't have anything to do with it, and I wish that they had not bought it.

Coun. FORD—Mr. President, I am going to vote against both motions. I am absolutely in favor of the order for \$750,000. Perfect harmony prevailed downstairs. But the President has appointed a Committee on Finance, reference of the matter has been made to that committee, and it should stay there. The chairman of the committee ought to be able to run his own committee. If the Mayor could eliminate self-appointed legislative agents, there would be more harmony and, in the end, more progress.

Coun. WATSON—Mr. President, I don't know what I ought to say in reply to the astute legal representative in the Council. He has referred to self-appointed legislative agents. If he doesn't know what a legislative agent is, I am going to tell him. A legislative agent is one who is not a member of a body, but who does things under cover.

Coun. FORD—I did not make any reference to that at all.

Coun. WATSON—That title, of course, cannot be hung onto me. I am here representing the city in part, with eight other members, and I think I am able to take care of myself. I will make this prediction, that there will be a glowing speech at the next meeting by the councilor who just took his seat (Coun. Ford) in favor of the \$750,000 appropriation, and, if possible, he will claim his part of the glory and that of others, if he can.

Coun. DONOGHUE—Mr. President, I have no desire to lengthen the controversy that has taken place here today, but I think when I stood up before I asked if another order had not been sent in by the Mayor, a separate order pertaining alone to the loan for \$750,000. The order for the municipal building in South Boston was passed during the previous administration, a loan for \$268,000, and that money cannot be used in connection with this Strandway improvement. It is an entirely different proposition. The Mayor, in order to go along with his plans for the development of the Strandway, will have to send a loan order in here for the entire amount of \$750,000. I believe he has done so, and I believe that we are taking action today not on the municipal building in South Boston but on the Strandway development. Now, some members of the Council have said that the Mayor wanted them to sleep on the proposition. I say that this is no time for sleep. This is a time for action. People are out of work. We pass resolutions here through the Council looking to have the City of Boston carry out certain projects, so that the city may furnish work to its citizens, and then we see noncitizens of Boston doing the work which is let out by contract. I believe that city employees should be hired, if necessary, for such work, and in that way we will know that they are citizens and that they will re-

ceive the prevailing rate of wages. If such work is done by contract, we will have nothing to say as to what rate of wages will be paid, or, in many cases, whether men are citizens or not. This is a matter that will be decided by the Mayor. The Mayor is responsible to the people of the City of Boston. He has just been elected by a very large vote of the citizens of the City of Boston. I feel that they have got confidence in the Mayor and that they have confidence in this proposition that he is submitting, and I cannot see any reason advanced by anybody who has spoken in opposition today for postponing action on the \$750,000 for the development of the Strandway. There has been considerable talk against the municipal building proposition. I don't care to pass upon that today. I had just as soon let that go to the Committee on Finance. But, as far as the Strandway proposition is concerned, if there has been any argument advanced for delay, I have not heard it, and I have been listening rather keenly while I have been sitting here. I think we ought to take action on the Strandway development today and that we should not delay further. I should like to see Coun. Watson withdraw his motion on the other proposition and allow me to make a motion to recall the Mayor's loan order for \$750,000, that we may act upon it today.

Coun. WATSON—Mr. President, I ask unanimous consent to withdraw my motion.

(The motion was withdrawn, with unanimous consent.)

President BRICKLEY—The order stands in the Committee on Finance.

Coun. DONOGHUE—Mr. President, I move that we recall from the Committee on Finance the loan order for \$750,000 for the development of the Strandway, submitted by the Mayor.

President BRICKLEY—The question is on Coun. Donoghue's motion, which requires a two thirds vote.

Coun. WATSON—Mr. President, I ask for a roll call.

Coun. FORD—Mr. President, my voting "no" on this does not mean that I am against the order. I am quite in favor of it. But I am voting "no" on the proposition because I am with the chairman of the committee, to which this matter has been referred.

Coun. WATSON—Nevertheless, Mr. President, it means a week's delay.

The motion to recall the matter from the committee was lost, yeas 2, nays 7:

Yeas—Coun. Donoghue, Watson—2

Nays—Coun. Brickley, Ford, Gilbody, Hagan, Lane, Moriarty, Walsh—7.

President BRICKLEY—The order stands referred to the Committee on Finance.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Thomas Bride (referred today) for retirement under the provisions of chapter 765 of the Acts of 1914—recommending the passage of the following viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Thomas Bride, employed in the labor service of the City of Boston in the Public Works Department.

Report accepted; order passed.

2. Report on petition of Marks Angel (referred February 20) for permit to keep gasoline at 140 Granite avenue, Dorchester—recommending the passage of the following, viz.:

Ordered, That the granting of a permit to Marks Angel for the keeping and storage of gasoline at 140 Granite avenue, Dorchester, be and the same hereby is disapproved.

Report accepted; order passed.

3. Report on message of Mayor and order (referred today) for \$1,000 for the Committee on Rent and Housing—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

4. Report on message of Mayor and order (referred today) for \$10,000 for the City Planning Board for city plan—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

5. Report on order (referred today) to transfer land in Brighton known as Wilson park to the Public Buildings Department—that the order ought to pass.

Report accepted; order passed.

6. Report on order (referred today) for half holiday without loss of pay to city employes taking part in the Evacuation Day parade—that the order ought to pass.

Report accepted; order passed.

7. Report on order (referred today) favoring legislation for pension for Michael Bath—that the order ought to pass.

Report accepted; order passed.

8. Report on order (referred today) for changing the name of the West Boston Bridge to Longfellow Bridge—that the order ought to pass.

Report accepted; order passed.

9. Report on petition of International Exchange Corporation (referred today) for permit to rent, lease and sell firearms at 115 State street, Ward 5—that a permit be granted.

Report accepted; permit granted on the usual conditions.

CONVENTION INVITATION.

Coun. WATSON offered the following:

Resolved, That his Honor the Mayor be requested to invite the United Commercial Travelers of America to hold their convention in Boston, June, 1923.

Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up Nos. 1, 2 and 3, unfinished business, viz.:

Action on appointments submitted by the Mayor February 20, 1922, viz.:

1. James H. Neville, to be a Constable.
2. Patrick J. Monahan, to be a Constable.
3. Anton H. Roth, to be a Constable.

The question came on confirmation. Committee—Coun. Watson and Gilbody. Whole number of ballots cast 9, yeas 9, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. DONOGHUE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 7.22 o'clock, on motion of Coun. MORIARTY, to meet on Monday, March 6, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 6, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

HISTORY OF BOSTON'S FIRST CENTURY.

The following was received:

City of Boston,
Office of the Mayor, March 3, 1922.
To the City Council:

Gentlemen,—It is desirable that the history of Boston's first century as a city be written, and Mr. John Koren, who has served as chairman of the Statistics Department Trustees for eight years, and who is perhaps one of the best, if not the best, informed on the story of the progress of Boston during the past century, has consented to devote his time to the writing of this work.

I accordingly recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the "Centennial Story of Boston" be printed as a city document, and the expense in connection with same be charged to the appropriation for City Documents.

Referred to the Executive Committee.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. Ercole Franchini, 5 Hull street, Ward 5, to the position of Constable of the City of Boston.

2. Joseph F. Goode, 179 Centre street, Roxbury, to the position of Constable of the City of Boston.

3. Harry Nankin, 12 Brighton Abattoir, Boston, to be a Weigher of Beef.

4. Robert E. Sexton, 431 Saratoga street, to the position of Constable of the City of Boston.

Laid over under the law.

VETO—JOHN J. CAREY, LABORER.

The following was received:

City of Boston,
Office of the Mayor, February 21, 1922.
To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your honorable body as passed on February 13, 1922, providing for reinstatement of John J. Carey, a laborer in the Water Service.

The appended communication from Commissioner of Public Works sets forth that John J. Carey, by his action in leaving the city service, at a time when his service was required, without notice, and his failure to display an interest in protecting his civil service rights would make it appear unwise to give favorable consideration to his request at this time.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 18, 1922.

To the Honorable the Mayor:

Referring to your memorandum of February 14, regarding the resolve of the City Council favoring the enactment of legislation to authorize the reinstatement of John J. Carey, beg to advise that Carey was a laborer in the Water Division from 1894 to December 21, 1916, when he left the department without notice. The understanding was that he had accepted a position at higher remuneration outside the city service. Not having worked for a period of six months he was dropped, under the civil service rules, on July 1, 1917.

If this legislation is approved it will pave the way for several hundred similar requests from men who left the city service during the war period to engage in higher paid work outside. I would recommend that the Law Department oppose any such requests for reinstatement.

Yours respectfully,
T. F. SULLIVAN,
Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Florence Colby, for a hearing on her claim against the city on account of a defect in highway, corner Berkeley and Gray streets.

Margaret L. Fahey, for compensation for glasses broken and injuries received because of a defect in River street, Hyde Park.

Annie Grossman, for compensation for injuries caused by a defect at 103 and 105 Glenway street.

Ida Krinsky, for a hearing on claim for injury sustained on January 17, 1922.

Fisher School of Mechanical Dentistry, to be paid for a showcase broken by a team of the Sanitary Service, at 11 Kneeland street.

Coleman McDonough, for compensation for damages at 16 Ticknor street, by break in main.

James H. Molaskey, for compensation for damage to goods caused by ice in highway on Dorchester avenue, about opposite No. 1961 or No. 2000.

James S. Rooney, to be paid for clothing torn on tree guard on Huntington avenue, near Forsyth street.

Cornelius J. Sisk, for compensation for injuries caused by a fall on crosswalk at Howe avenue and H street.

Mary A. Terrant, for a hearing on claim on account of injuries received on Summer Street Bridge.

Charles H. Weeber, for compensation for damage to goods at 159 Brighton avenue by sewage.

John D. Williams, trustee, to be paid for a fence at 2 Quincy street, broken by fire apparatus.

James A. Dooley, for compensation for injuries caused by fall on Bolton street, South Boston.

Mrs. Eugenie Selig, for compensation for fall on Pembroke street.

Executive.

Margaret Sharkey, to be retired under the provisions of chapter 765, Acts of 1914.

CONSTABLES' BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of George B. Mullay.

Approved by the City Council.

BOND OF W. T. A. FITZGERALD.

Notice was received from City Treasurer Deland of approval of bond of W. T. A. Fitzgerald, Register of Deeds.
Placed on file.

APPOINTMENT OF ASSESSORS.

Notice was received by the City Clerk from the Mayor of the appointment of the following first assistant assessors, viz.:

A. S. Parker Weeks, John S. McDonough, Charles H. Warren, John J. Dailey, William A. Creny, Ward A. Marsh.
Placed on file.

WITHDRAWAL OF APPOINTMENTS.

Notice was received of the withdrawal of the appointment of William J. Casey as Institutions Commissioner.
Placed on file.

NOTICE OF APPOINTMENTS.

Notice was received of the following appointments, certified copies of the same having been sent to the Civil Service Commission, viz.:

William J. Casey, Superintendent of Printing.

David J. Johnson, Institutions Commissioner.

Placed on file.

EXTENSION OF TIME.

Notice was received from the Department of Public Utilities on petition of Boston Elevated Railway Company for extension of time for maintaining grade crossing at Neponset avenue.
Placed on file.

VETERANS' COMPENSATION.

Coun. GILBODY offered the following:

Whereas, Justice is depriving the World War soldiers, sailors and marines of adjusted compensation, by the inactivity of Congress; and

Whereas, The City Council of Boston is of the opinion that the inactivity and delay seriously affects millions of Americans concerned in this legislation;

Resolved, That the City Council of Boston indorses the legislation known as the "Adjusted Bill for Soldiers, Sailors and Marines for the World War," and urges its immediate passage.

Ordered, That a copy of these preambles and resolutions be sent to the clerks of the Senate and House of Representatives in Washington, D. C., by the City Clerk.

Coun. GILBODY—Mr. President, I believe the resolution is self-explanatory and that every member of this honorable body appreciates the order of its passage at this time. I believe all the members are in hearty sympathy with the resolution and therefore I move a suspension of the rule that it may be placed upon its passage.

Coun. WATSON—Mr. President, there is no doubt that I shall vote for the resolution, but I sincerely request that it be referred to the Executive Committee, in order that I may see what the pending legislation is.

Coun. GILBODY—I have no objection, Mr. President.

The preambles, resolution and order were referred to the Executive Committee.

SANITARY CONDITIONS, ELEVATED RAILWAY.

Coun. WATSON offered an order—That the Health Commissioner be requested, through

his Honor the Mayor, to investigate the conditions of the cars of the Boston Elevated system so far as it relates to sanitary conditions, and report his findings to his Honor, the Mayor, and his recommendations, if any, as to what should be done to obviate any unsanitary conditions which may exist.

Coun. WATSON—Mr. President, I appreciate the fact that I take considerable of the time of the body and much of the printers' time, as a result of the discussion here of matters that I consider of importance. I appreciate the fact that perhaps any lengthy remarks of mine at this time might be misconstrued by friends, and certainly misconstrued by those with whom I am not on friendly terms. But, realizing that a bald, plain order says but little, and realizing our helplessness in regard to many things we act upon in this body, because the charter has denied us the right to really be the legislative body of this city, I do feel that some pertinent facts should be stated; that some things should be said which may perhaps by some conservative gentlemen and by the interests affected be construed as radical, and perhaps almost anarchistic. I care not for the opinion in such quarters, gentlemen, because I realize that that is the way in which any proper publicity, any movement for good which opposes the privileged class, is regarded in such quarters. The treatment that is accorded the public by the powers that be in the Boston Elevated Railway Company is on a par with the treatment given to the savages by the controlling monarch of a well regulated empire. It is about time that the people of this city, and of the other cities and towns through which the Elevated road operates, should demand in no uncertain terms treatment a little better than that which is accorded cattle consigned to North, Swift, Squire, or the other food concerns engaged in the slaughtering of pigs and beef in Greater Boston. The law which governs the humane treatment of cattle and other live stock in transport compels the railroads to use these dumb animals far better than the greatest work of the Creator is treated by the Boston Elevated Railway Company. Is it possible that the interests which control the earnings of the Elevated, and which provide a substantial return upon the money invested by absent landlords, think less of the men, women and children who are compelled to depend upon them for transportation service than do the carriers who are engaged in the transportation of animals? Were the trustees of the Boston Elevated designated for the purpose of protecting the dollar of the investor? If that is their only aim and intention, then the sooner the public understands the situation the better. I say without fear of contradiction that there is no worse managed system in the world today than the Boston Elevated Railway under its present Board of Trustees. I am creditably informed that it is the intention of this Board of Trustees to accumulate as large a surplus as possible this year, irrespective of the requirements of the public in the way of improved service. New York City, through its officials, has informed the transit interests that they must serve the people properly regardless of whether they go into bankruptcy or not. If the people who invested their money in these public service corporations—and I have in mind the lighting companies, the steam and street railways, and other public service corporations—did so with the idea that they would forever draw dividends, regardless of the kind of service that was furnished the people, then it is a one-sided proposition. And while I am no lawyer, I believe that the contract, or the so-called Public Trustee Act, is against public policy, that it is not binding, and that it should be annulled at once. It is the treatment which is meted out to the public by arrogant and heartless corporations such as the Boston Elevated Railway company, the Gas company, and the Electric Light Company, that is fast developing in our citizenship the principles of anarchy and

revolution. Mr. President, I committed those words to paper in order that there might be no mistake in my language. I am going to conclude in a moment or two, interjecting some caustic remark that may enter the press and get under the calloused skin of the trustees of the Boston Elevated Railroad and the State street interests that operate it, because the trustees of the Boston Elevated Railroad are not serving the public, Mr. President. It is my belief that the only thought they have in mind is to protect vested interests, to protect the dollar of the man, woman or estate who put the money into the Elevated stock and West End stock with their eyes wide open. There is no more reason why the Commonwealth of Massachusetts or any municipality or town should guarantee to investors in the Elevated stock a certain dividend regardless of the earning power of the corporation than there would be why the Legislature of this body should guarantee to the man who runs a cigar store across the street, or a fruit store, or the news boy who sells papers in the street, a profit under any and all circumstances. It is unfortunate that there are few laymen who can determine the questions of law pertaining to public service corporations, because if they could a great deal of common sense would enter into the discussion and decision of the question, as, after all, law is, I understand, based on common sense. Mr. President, this order of mine has been in the making for weeks. I have statistics without limit concerning health and other matters pertaining to the public welfare that are being endangered daily by the conduct of the trustees of the Boston Elevated Railroad. I had the unfortunate experience, in driving an automobile for the concern by whom I am employed, and owned by them, of being struck by a Boston Elevated Railroad surface car in Roxbury, a few days ago. I was 100 per cent blameless, I believe, and I am satisfied that the courts will determine that I was at least 60 per cent blameless in the matter. When I called to their attention the fact that I had been injured, that the car had been practically ruined, they sent down an inspector or claim man to determine the extent of the injury. The two front mud guards were broken, the fender was crushed, the two front wheels were broken, and the radiator and lamps were broken, and the man recommended the payment of \$85, when the radiator alone cost my concern \$105 to put back, and the concern has spent altogether \$400 in fixing up the car. I tried to have them put my car in proper shape, and I wanted to avoid a law suit, trying to protect the poor investor in the Elevated. But I was denied even respectful treatment. I know if the reporters interview them they will say that this order is put in because I have this feeling against them. No, Mr. President, the fact is that I have been quiet in this body too long in regard to the Elevated. I have sat here knowing that the Elevated was conducting its affairs against the public interest and was abusing the health and injuring the pocket-books and the morals of the community. I was obliged to use their cars for seven days, starting Friday last, and I have been obliged to stand in one crowded car after another, cars so crowded that sometimes I was unable even to get hold of a strap. The other day I was packed in so that for several minutes I was unable even to get my hands up, and my position, it is unfortunate that there are women present, but my position was such that it did not tend to good morals in any particular. I will stop there. I had standing opposite me another day a man who weighed about 110 pounds, who was undoubtedly consumptive, a poor unfortunate, and I had to breathe his breath, and he breathed mine, certainly not conducive to public health. We all know that in crowded cars the noses of the people are often only a few inches apart and that every one is breathing the air exhaled by other people. I believe that they are robbing the people with the 10-cent fare through an act of the Legis-

lature conceived in vice and corruption and passed through the same medium. I make this prediction: If the Elevated does not improve its transportation conditions in Boston, one of these days the public will rise and boycott the Elevated, will walk for a week, and you will then see them improve conditions. Now, Mr. President, I have had my say. I repeat that the trustee act was born in vice and corruption, conceived in the crooked brain of crooked financial interests, born in corruption and fostered ever since by the same corrupt criminal interests. I know what some of my colleagues are saying, "Watson is talking again!" I don't blame them. I ought to apologize to them for it. But somebody has got to stand the gaff, to use the vernacular of the day; somebody has got to be the bell cow, somebody has got to be the goat. I have tried not to be the goat, but when I see nothing being done, and something wrong that should be corrected, I feel that somebody has got to jump in and do something. Sometimes somebody has got to speak the word, when he is endeavoring honestly and sincerely to represent his constituents in an attempt to bring about a remedy for the existing conditions. And sometimes in matters of this sort you get more result by the spoken word, uttered seriously and sincerely by one who is endeavoring to do his duty, than through all the petitions you may send to the law-making body of this Commonwealth. The trustee act was passed through corruption. Corrupt members of the House and Senate received their pound of flesh for tying Boston's hands and feet, and Greater Boston's hands and feet, for ten years. I am not mincing words. It is time that somebody spoke up. It may be claimed that my remarks here are privileged. I say now that I am willing to repeat what I have said, word for word, my utterances here today, in any public hall in Boston, and I invite any kind of prosecution that the crooked interests may desire to bring against me. Mr. President, apologizing to my colleagues for these lengthy remarks, I ask, sir, a suspension of the rule in order that the order may be passed at this time.

Coun. GILBODY—I second it, Mr. President.

Coun. HAGAN—Mr. President, I hope the matter will be referred to the Executive Committee.

Coun. WATSON—I withdraw my motion, Mr. President.

The order was referred to the Executive Committee.

OPPOSITION TO HOUSE BILLS.

Coun. WATSON offered an order—That the Law Department be requested, through his Honor the Mayor, to oppose the passage of House Bills Nos. 134 and 630 relating to public utilities.

Coun. WATSON—Mr. President, I simply want to say that those bills are in line with similar bills that were introduced last year. They are bills filed for the benefit of the Edison Company, and the Law Department has already informed me that it intends to oppose them. I simply offer this order as a matter of record.

The order was referred to the Executive Committee.

EMPLOYEES AT AUTO SHOW.

Coun. WATSON offered an order—That his Honor the Mayor be requested to ask the management of the automobile show beginning March 11, that all the employees be citizens of Boston or of the Commonwealth of Massachusetts, or such who have declared their intent to become citizens of the United States.

Coun. WATSON—Mr. President, it may be well for me to explain why I have introduced that order. I was informed by several men last year, prior to the automobile show managed by Mr. Chester I. Campbell, that they

were denied an opportunity of employment during the brief time that the automobile show was here, that Mr. Campbell was giving preference to men who were residents of the city of Quincy, where Mr. Campbell lives and of which city he is ex-mayor, a city from which he at the present time in all probability hopes to obtain some advancement along political lines. I don't blame him a bit for that, but we are to be blamed and the Mayor is to be blamed if we permit him to get all the benefit coming from the use of our streets and from our Police Department, which the taxpayers of Boston pay for, the protection that is accorded him here, and for which he does not seem disposed to render an equivalent along this line. Now, Mr. President, we have here a free employment bureau, for which we have already paid \$10,000, and I know that that bureau can furnish men of the right caliber, worthy men, such men as are necessary to perform the duties that would be imposed upon them in connection with that show.

The order was referred to the Executive Committee.

LIGHTS, PARSONS STREET.

Coun. WALSH offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to provide a sufficient number of electric lights on Parsons street, Ward 26.

Passed under a suspension of the rule.

LEGISLATION FAVORING WILLIAM SEGAL.

Coun. GILBODY offered the following:

Resolved, That the City Council of Boston favors legislation for the payment of a sum of money to William Segal.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3 p. m., on motion of Coun. HAGAN, to take a recess subject to the call of the President.

The members reassembled in the Council Chamber and were called to order by the President at 6.26 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on order (referred today) opposing passage of House Bills Nos. 134 and 630—that the order ought to pass.
Report accepted; order passed.

2. Report on message of Mayor and order (referred today) that the "Centennial Story of Boston" be printed as a city document—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

3. Report on communication from Street Commissioners (referred February 13) of notice of hearings on petitions to keep and sell gasoline—that the same be placed on file.
Report accepted; communication placed on file.

4. Report on order (referred today) favoring legislation for William Segal—that the order ought to pass.

Report accepted; order passed.

5. Report on message of Mayor and order (referred February 27) for sale of land and building at B and Athens streets, South Boston—that the order ought to pass.

Report accepted; order read once and passed, yeas 8, nays 1, Coun. WATSON voting nay.

6. Report on order (referred today) concerning legislation for William Segal—that the order ought to pass.

Report accepted; order passed.

7. Report on order (referred today) concerning employment of people at automobile show—recommending passage of order in the following new draft, viz.:

Ordered, That his Honor the Mayor be requested to ask the management of the automobile show, beginning March 11, to employ first, citizens of Boston; second, citizens of the Commonwealth of Massachusetts; third, citizens of the United States; fourth, those who have declared their intention to become citizens of this country.

Report accepted; order passed.

8. Report on petition of Margaret Sharkey (referred today) for retirement—recommending the passage of the following, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Margaret Sharkey, employed in the labor service of the City of Boston in the Hospital Department.

Report accepted; order passed.

9. Report on order (referred today) concerning legislation for soldiers—recommending passage of order in the following new draft, viz.:

Whereas, Justice is denied the World War soldiers, sailors and marines in the matter of adjusted compensation by the inactivity of Congress; and

Whereas, The City Council of Boston is of the opinion that the inactivity and delay seriously affects millions of Americans concerned in this legislation; therefore be it

Resolved, That the City Council of Boston endorses legislation advocated by the American Legion, Veterans of Foreign Wars and other veteran organizations, and urges the immediate passage of the bill.

Ordered, That a copy of these preambles and resolutions be sent to the clerks of the Senate and House of Representatives in Washington, D. C.

Report accepted; preambles and order passed.

FINANCE.

Coun. LANE, for the Committee on Finance, submitted the following, viz.:

1. Report on message of Mayor and order (referred February 27) for loan of \$750,000 for Columbus Park—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its final reading not less than fourteen days from date.

2. Report on message of Mayor and order (referred February 27) rescinding loan for gymnasium, South Boston—that the order ought not to pass.

Report accepted; order rejected, yeas 1, nays 8, Coun. WATSON voting yea.

BATHING FACILITIES, EAST BOSTON.

Coun. FORD offered an order—That his Honor the Mayor be requested to provide bathing facilities for the first and second sections, so-called, in East Boston.

Coun. FORD—Mr. President, I understand that there are bathing facilities down in the other parts of East Boston, but none here, and the residents here want to provide the same facilities in their vicinity, Eagle street, that are afforded elsewhere. That can be done with the consent of the state and the Park Department.

The order was referred to the Executive Committee.

GYMNASIUM, WARD 23.

Coun. MORIARTY offered an order—That the sum of \$350,000 be and hereby is appropriated for a municipal building and gymnasium in Ward 23, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, bonds or certificates of indebtedness to said amount.

Referred to the Committee on Finance.

CHRISTOPHER J. LEE PLAYGROUND.

Coun. DONOGHUE—Mr. President, without making an extended speech, knowing that we have had this whole matter threshed out before the Committee on Finance, I want to move at this time so that there may in the future be no criticism of my delay in the matter of having action taken on the extension of the Christopher J. Lee Playground to recall from the Committee on Finance the appropriation order of \$100,000 for the extension and improvement of the M Street Playground.

The motion to recall the order from the Committee on Finance was declared lost. Coun. Donoghue doubted the vote and asked for the yeas and nays. The motion to recall the order from the committee was lost, yeas 3, nays 6:

Yeas—Coun. Donoghue, Walsh, Watson—3.

Nays—Coun. Brickley, Ford, Gilbody, Hagan, Lane, Moriarty—6.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business No. 1, viz.:

1. Action on appointments submitted by the Mayor February 27, 1922, of the following-named persons to be Constables, viz.:

James J. Burns, Robert T. Carey, Thomas J. O'Brien, John F. Gillespie, Patrick A. Grady, Ascher E. Horowitz, William H. Mealey, Michael F. Murphy, William J. O'Connell, Salvador C. Sottile, James J. Sullivan.

The question came on confirmation. Committee—Coun. Donoghue and Ford.

Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. LANE moved a general reconsideration on all business transacted at the meeting, hoping that the same would prevail. Lost.

Adjourned at 6.35 p. m., on motion of Coun. MORIARTY, to meet on Monday, March 13, at two o'clock, p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 13, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Thirty-nine traverse jurors, Superior Civil Court, First Session, April Sitting, to appear April 3, 1922:

Albert T. Booth, Ward 2; Humphrey Collins, Ward 5; Peter Dondero, Ward 5; William J. Conehan, Ward 6; Oliver P. Gordon, Ward 6; Frank P. Gray, Ward 6; Samuel Travis, Ward 6; James J. Sullivan, Ward 7; Curtis D. Noyes, Ward 8; William C. Reynolds, Ward 8; Harry J. Johnston, Ward 9; Thomas F. Morgan, Ward 9; James L. Barry, Ward 10; William J. Mahoney, Ward 10; Thomas J. Flaherty, Ward 13; William J. Kelley, Ward 15; Simon N. Rosen, Ward 16; Thomas F. Kiernan, Ward 17; Samuel Levin, Ward 17; Neal J. O'Donnell, Ward 18; James M. White, Ward 18; Bertine F. Borhek, Ward 19; Jacob Freedman, Ward 19; Thomas Mason, Ward 19; Jonathan Whitaker, Ward 19; Robert Manton, Ward 21; Abraham Marsman, Ward 21; Henry Melnick, Ward 21; Louis Nalhersey, Ward 21; Walter C. Durfee, Ward 22; Bert W. Parmenter, Ward 22; Bernard A. Clausmeyer, Ward 23; Harold E. Angell, Ward 24; Frederick A. Barrow, Ward 24; Arthur H. Daunt, Ward 24; William J. Henderson, Ward 24; John F. O'Brien, Ward 24; Albert Spear, Ward 24; Oswald W. Stewart, Ward 24.

Thirty-nine traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear April 3, 1922:

Howard S. Hunter, Ward 1; Aloysius F. O'Brien, Ward 2; John Rushforth, Ward 3; John J. Thompson, Ward 3; Francesco Bacigalupo, Ward 5; John J. Gartland, Ward 6; David Joseph, Ward 6; Alexander F. O'Connor, Ward 7; Alexander J. Allison, Ward 8; Arthur C. Andrews, Ward 8; Placido M. Oliva, Ward 8; Walter J. Smith, Ward 8; William S. Townsend, Ward 8; Louis Waldman, Ward 8; William P. Fidelle, Ward 9; Timothy F. Ring, Ward 9; John E. Carey, Ward 10; J. Frank Devine, Ward 10; Heinrich A. Foerster, Ward 10; Frank H. D'Angelo, Ward 11; Henry J. Kelly, Ward 11; Wenzl-Kulda, Ward 11; William H. Gordon, Ward 12; Sumner H. Pierce, Ward 12; Maurice P. Dwyer, Ward 13; Abraham Charles, Ward 15; James Rogers, Ward 15; Joseph A. Gauthier, Ward 16; Albin Johnson, Ward 17; Simon Brodny, Ward 18; Louis Levin, Ward 19; John E. McElroy, Ward 19; Alexander R. Urquhart, Ward 20; Thomas Wright, Jr., Ward 20; Lionel Thomas Cooper, Ward 22; John H. Rose, Ward 22; William Weiler, Ward 23; Thomas J. Hodgekinson, Ward 24; Archibald S. Phelps, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear April 3, 1922:

James F. McGinnis, Ward 1; William J. Perry, Ward 1; George E. Simonds, Ward 1; Albert H. Richardson, Ward 2; Albert Montardo, Ward 5; Frank D. Carlini, Ward 6; Richard J. Flanagan, Ward 6; Patrick Connor, Ward 7; William J. Lyndon, Ward 7; Louis Praray, Ward 7; Theodore E. Seward, Ward 7; Caspar Boltz, Ward 8; John E.

Caulkins, Ward 8; Arthur L. Devens, Ward 8; Harry C. Dodge, Ward 8; Edward C. Fitz, Ward 8; Augustus N. Rantoul, Ward 8; Hyman Z. Steinberg, Ward 8; William T. Fleming, Ward 9; Dennis H. Hayes, Ward 9; Edward D. Heffernan, Ward 9; Florance P. McCarthy, Ward 9; Charles A. Gorman, Ward 11; Albert G. Cosby, Ward 11; John Edward McDermott, Jr., Ward 11; George D. Ryan, Ward 12; John E. Anderson, Ward 13; Nelson Guildler, Ward 14; Arthur M. Blades, Ward 15; Daniel F. Comer, Ward 15; Patrick F. Donovan, Ward 15; Frederick W. Burgess, Ward 17; Abraham Diamond, Ward 18; William H. Percy, Ward 18; Joseph A. Hurd, Ward 21; Frank E. Main, Ward 23; Frank L. Graham, Ward 24; Allen Babson Friend, Ward 25; Dartelle V. Fox, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear April 3, 1922:

Edward L. Butler, Ward 1; Charles W. Colbyer, Ward 1; Cornelius J. Donahue, Ward 2; John F. Kenney, Ward 3; Patrick A. McCarthy, Ward 3; William E. Henley, Ward 4; Harry Marks, Ward 6; William J. Sullivan, Ward 6; John W. McDonald, Ward 7; Frederic R. Galacar, Ward 8; Herman W. Shaw, Ward 8; William J. Cassidy, Ward 9; John T. Malone, Ward 9; Charles J. Shea, Ward 9; Herman Hely, Ward 10; Thomas J. Crowley, Ward 11; John F. Regan, Ward 11; Charles J. Wilde, Ward 11; John H. Mitchell, Ward 13; James Greer, Ward 14; William J. Havey, Ward 14; Jacob F. Becker, Ward 15; Christian B. Friswold, Ward 15; Patrick T. Coakley, Ward 16; Max Roseman, Ward 16; Alexander W. Sutheland, Ward 16; Philip F. McAnany, Ward 18; Roderick Morin, Ward 18; George W. Smith, Ward 18; Charles R. Smith, Ward 20; Julius R. Cohen, Ward 21; Myer Rosenberg, Ward 21; Peter Gerardi, Ward 23; Herbert A. Kneeland, Ward 23; Fred G. Uriot, Ward 23; Carl A. Anderson, Ward 24; Walter H. Bowker, Ward 25; Thomas F. Lacy, Ward 25; Patrick A. Dalton, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear April 3, 1922:

Henry L. Melanson, Ward 2; Fred L. Godfrey, Ward 3; James H. Hanley, Ward 3; Louis Chansky, Ward 5; Harry Grossman, Ward 5; William H. Garland, Ward 6; Edward F. Hurley, Ward 6; Kenneth B. Elliman, Ward 7; Edward A. Herbert, Ward 7; Thomas Refin, Ward 7; Charles H. Traiser, Ward 8; Harry M. Tufts, Ward 8; Francis A. Joyce, Ward 10; Edward F. Shea, Ward 10; Leonard Vanerlin, Ward 11; Andrew J. Cahill, Ward 12; John Faulkner, Ward 12; James O'Neill, Ward 12; Timothy McCarthy, Ward 14; Henry T. Allechin, Ward 15; Simon B. Friedman, Ward 16; Harry Somers, Ward 16; Lucian L. Groves, Ward 17; Adolph G. Pearce, Ward 17; Robert J. Curry, Ward 18; Carl Johan Frank, Ward 18; Peter Geden, Ward 20; Charles F. Haggerty, Ward 20; Noah N. Wood, Ward 20; Hyman L. Jacobs, Ward 21; James Francis Cullen, Ward 22; Henry Paegle, Ward 22; Thomas H. Westwood, Jr., Ward 22; Robert E. Lannon, Ward 23; August J. Vatter, Ward 23; Michael J. Russell, Ward 25; William T. Russell, Ward 25; James E. Burns, Ward 26; Richard C. Rodenhiser, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear April 3, 1922:

Everett K. Low, Ward 1; Alexander J. McCabe, Ward 1; Edward R. Millen, Ward 1; John J. Cotter, Ward 2; William M. Rogers, Ward 3; James Curren, Ward 5; Laurence J. Fallon, Ward 5; Thomas F. Garrity, Ward 5; Charles H. Hassett, Ward 5; Joseph P. Brawner, Ward 7; Henry W. Knight, Ward 7; Edgar E. Salisbury, Ward 7; James A. Quigley, Ward 8; John G. Barrett, Ward 9; Dennis Donovan, Ward 9; Frank A. Freeman, Ward 10; Edward Hugh Logan, Ward 10; Patrick H. Horan, Ward 11; Trefle Gervais, Ward 13; Louis Thomas, Ward 13;

Frank Burke, Ward 14; John Clancy, Ward 14; Fred W. Brown, Ward 15; William H. Cunningham, Ward 15; John B. Kenneally, Ward 15; Moses Brodie, Ward 16; John E. Saul, Ward 16; Robert H. Stewart, Ward 16; Justus L. Stewart, Ward 17; Charles B. Walton, Ward 18; Chester S. Aldrich, Ward 19; Tilton S. Bell, Ward 19; Peter E. Neilson, Ward 20; Clarence M. Snow, Ward 20; John R. MacDonald, Ward 23; Henry Barrett, Jr., Ward 25; George E. Tripp, Ward 25; Bartholomew Bresnahan, Ward 26; Charles M. Fetherston, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear April 3, 1922:

David Mallett, Ward 1; Thomas L. Cannon, Ward 2; Joseph H. Maloney, Ward 4; John A. Turner, Ward 4; James P. Grimes, Ward 5; John R. Hannon, Ward 5; Michael Tirk, Ward 5; Chester A. Wood, Ward 6; James Collins, Ward 7; William J. Darmody, Ward 7; Fred B. Haggett, Ward 7; Holton B. Perkins, Ward 8; Michael P. Scanlon, Ward 8; Timothy J. Sheehan, Ward 8; John F. Sullivan, Ward 8; Myles J. Glynn, Ward 9; Robert P. McSolla, Ward 9; Henry C. Bamberg, Ward 11; Thomas Batts, Ward 11; William J. Ellis, Ward 11; Patrick J. Feeney, Ward 11; Frank H. Yeager, Ward 11; Louis Flaherty, Ward 13; Edward J. Mooney, Ward 13; Patrick J. Winterson, Ward 15; Eugene R. Chapman, Ward 16; Maurice H. Daniels, Ward 16; James J. Henchey, Ward 17; Joseph Pinkofsky, Ward 18; Julius Corman, Ward 19; George F. Eddy, Ward 19; Joseph Silva, Ward 20; Edward P. Dudley, Ward 21; Edward J. Gallagher, Ward 23; Edwin L. Marshall, Ward 24; Edward D. Abbott, Ward 25; Elmer B. Foss, Ward 26; James A. Moore, Ward 26; Ernest C. Quinn, Ward 26.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. Michael S. Drew, 141 Eustis street, Ward 12, to the position of Constable of the City of Boston.
 2. Charles M. Winters, 18 Nelson street, Ward 21, to the position of Constable of the City of Boston.
 3. Andrew J. Dowd, 24 Clarence street, Ward 12, to the position of Constable of the City of Boston.
 4. William Doonan, 12 Gay Head street, Ward 14, to the position of Constable of the City of Boston.
 5. Richard J. Devine, 24 Huckins street, Roxbury, to the position of Constable of the City of Boston.
- Severally laid over under the law.

TRANSFER OF WILSON PARK.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1922.
To the City Council:

Gentlemen,—In response to your request of February 27 I beg to transmit herewith the report of the Park Commissioners relative to the transfer of land in Brighton known as "Wilson Park."

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, March 9, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I have your memorandum of March 2, 1922, with enclosure, order of the City Council, relative to the advisability of transferring land in Brighton known as

"Wilson Park" to the custody of the Public Buildings Department for the purpose of providing a municipal building site for that district. In reply I respectfully beg to state that the Board approves of the transfer of this land for the purpose mentioned.

Very respectfully yours,

JAMES B. SHEA,
Chairman.

Placed on file.

VETO—PLAYGROUND APPROPRIATION, MATTAPAN.

The following was received:

City of Boston,
Office of the Mayor, March 7, 1922.
To the City Council:

Gentlemen,—I return herewith, without my approval, the order passed by your honorable body on February 20, 1922, providing for an appropriation of \$50,000 for a playground in the Mattapan district.

On September 27, 1913, the City Council authorized an appropriation of \$25,000 for a playground in Mattapan and this money is still available.

In my opinion, for the present, the sum now available is ample and the reduced borrowing capacity of the city, coupled with the more important needs of the city, does not justify an expenditure in the sum approved by your honorable body at the present time.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—BURKE AND MULHERN SQUARES.

The following was received:

City of Boston,
Office of the Mayor, March 2, 1922.
To the City Council:

Gentlemen,—I am returning herewith, without my approval, orders of your Board for the renaming of public squares in memory of Leonce C. Burke and William J. Mulhern. Personally, I can see no objection to the naming of a public square in honor of a citizen who has served and made the supreme sacrifice for the preservation of American honor and the perpetuation of American institutions, but both logic and justice are disregarded when a square bearing the name of an American who has honored his city and nation in earlier days is replaced by one who honors in later days, while the giving of two distinctive names to one square is impossible to justify. The custom that has grown up in the last two years of naming street intersections where no square exists, as a square in honor of some World War hero, is an injustice to those who served, and a practice that if continued will leave the city government open to the charge of playing cheap politics with heroes of the World War solely for political capital. Personally, I believe that every man who served should have his name perpetuated, and after all, those who are undergoing a living death, the victims of shell shock, who are sound in body but whose minds are a blank, are as much entitled to the honor of having a square named after them as those who were more fortunate and who died on the field of battle.

In my opinion, the best solution of the entire problem, in order that no man may be done an injustice, will be to present a bill to the Legislature requiring the state to place on an enduring bronze in the State Armory the names of all who served, and all who have been wounded or suffered loss of mentality, or died.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

PLAYGROUND, EAST COTTAGE STREET.

The following was received:

City of Boston,
Office of the Mayor, March 9, 1922.
To the City Council:

Gentlemen,—In accordance with the request of the City Council on February 4, the chairman of the Board of Park Commissioners has submitted a report on the advisability of converting the land on East Cottage street, upon which the hot houses are located, and which are no longer used, into a park or playground, and the cost of said playground. I am transmitting his report herewith.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, March 3, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I have your memorandum of February 8 with inclosure from Assistant City Clerk Doyle with the order that the Park Commissioners be requested, through his Honor the Mayor, to consider and report upon the advisability of converting the land on East Cottage street, upon which the hot houses are located, and which are no longer used, into a park or playground, and as to the cost of said park or playground.

In reply would say that the land owned by the city contains, approximately, 100,000 feet. This is not large enough for a playground for adults, and such a playground is not necessary at this point, as it is midway between the Strandway and the William Eustis Playground on Norfolk avenue, both of which would be admirably fitted for athletic games. The latter place might be improved by adding to its area.

So far as the necessity of a children's playground is concerned, it would be far better to use Richardson Park on Columbia road, in close proximity to the two large schools, the William E. Russell School and the parochial school connected with St. Margaret's parish.

A simple athletic apparatus for the use of children could be placed on this park, and it would be more central and, from the safety standpoint, far better for the children than the location at the East Cottage street grounds.

As to the cost of the development of the proposed park, I would say that the grading, fencing, and planting, erection of apparatus, etc., would mean an expenditure of \$30,000, and a sanitary and locker building would cost \$20,000. The Board believes that this money could be expended to better purpose in increasing the facilities at William Eustis Playground, Richardson Park, and other playgrounds in that immediate neighborhood.

Respectfully,
JAMES B. SHEA, Chairman.

Placed on file.

ORDINANCE CONCERNING TRANSIT COMMISSION.

The following was received:

City of Boston,
Office of the Mayor, March 11, 1922.
To the City Council:

Gentlemen,—I have this day directed the Boston Transit Commission to construct the necessary underground work at East Boston upon a day labor rather than contract basis.

The work contemplated represents an expenditure of approximately \$2,500,000, and the shortest possible time it can be consummated is eighteen months.

In all probability not less than 1,000 men will be employed upon this work, and it is, in my opinion, desirable that the added responsibilities represented by this project receive the entire time and thought of the Transit Commission and that they receive adequate compensation for services rendered.

It has been my observation that service is invariably rendered in proportion to the wage paid, and that competent and efficient service may be possible upon this work, which should provide employment for citizens who in the past have been deprived of the opportunity for work of this nature, I respectfully recommend the adoption of the accompanying ordinance.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston.
In the Year Nineteen Hundred and Twenty-Two.

An Ordinance Concerning the Transit Department of the City of Boston.

Be it ordained by the City Council of Boston, as follows:

SECTION 1. Chapter three of the ordinances of nineteen hundred and eighteen is hereby amended by striking out section one and substituting therefor the following new section:—Section 1. The transit department shall be under the charge of a board of three commissioners, appointed by the mayor, for the term of one year each, one of whom he shall designate as chairman. The chairman shall receive a salary of seven thousand five hundred dollars a year; the other members shall receive each a salary of five thousand dollars a year. The board shall appoint a secretary, engineers, subordinates and employees, define their powers and duties, and fix the amount of their compensation.

Referred to the Committee on Ordinances.

APPROPRIATION FOR HIGHWAYS, MAKING OF.

The following was received:

City of Boston,
Office of the Mayor, March 10, 1922.
To the City Council:

Gentlemen,—It is desirable that the Board of Street Commissioners be provided, at the earliest date, with funds for the laying out, widening and construction of public thoroughfares, and I accordingly recommend the adoption of the accompanying order by your honorable body.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$500,000 be and hereby is appropriated for highways, making of, under the provisions of chapter 393 of the Acts of 1905, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

INVESTIGATION OF EDISON ELECTRIC COMPANY.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1922.
To the City Council:

Gentlemen,—Investigation of the Edison Electric Illuminating Company, which has been in progress for some time, should in my opinion be continued until a decision is reached, and I accordingly recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That an additional sum not exceeding \$20,000 be authorized to be expended for the purpose of meeting charges for expert services, stenographic services, additional legal assistance and other necessary and proper expenditures in connection with the hearings on the request for arbitration under the street lighting contract between the City

of Boston and the Edison Electric Illuminating Company, dated December 7, 1914, and under the petition for a reduction in the price of electricity filed by the Mayor with the Public Utilities Commission, said amount to be charged to the Reserve Fund. All expenditures shall be subject to the written approval of the Mayor and the Corporation Council.

Referred to the Executive Committee.

CONDITION OF BEACON STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1922.
To the City Council:

Gentlemen,—I beg to submit herewith the report of the former Commissioner of Public Works with reference to the condition of the Beacon Street Bridge over the Boston & Albany Railroad, west of Commonwealth avenue, and respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 27, 1922.

To the Honorable the Mayor:

I respectfully call your attention to the condition of Beacon Street Bridge, over the Boston & Albany Railroad, west of Commonwealth avenue. This bridge was completed in 1885. On December 28, 1921, the Public Utilities Commission passed an order providing for the rebuilding of this structure. The plans for the new bridge provide for the replacing of the water pipes under the tracks, and it is of great importance that this work be commenced immediately.

I respectfully recommend that a loan appropriation of \$175,000 be made for providing a plate girder structure with a steel floor encased in concrete.

Yours respectfully,
T. F. SULLIVAN,
Commissioner of Public Works.

Ordered, That the sum of \$175,000 be appropriated, to be expended by the Commissioner of Public Works, for rebuilding Beacon Street Bridge, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Referred to the Committee on Finance.

CONDITION OF CAMBRIDGE STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, March 13, 1922.
To the City Council:

Gentlemen,—I beg to submit herewith report from the former Commissioner of Public Works, with reference to the condition of the Cambridge Street Bridge, over the Boston & Albany Railroad, Allston, and respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
February 27, 1922.

To the Honorable the Mayor:

I respectfully request that a loan appropriation of \$160,000 be made for rebuilding the bridge structure on Cambridge street, Allston, over the tracks of the Boston & Albany Railroad.

This bridge was closed to car traffic in October of 1920, on account of its unsafe condition, and since that time it has been neces-

sary to transfer passengers in the open across the bridge. The necessary legal formalities have been complied with, and it is essential that the work be commenced at the earliest possible time.

Yours respectfully,
T. F. SULLIVAN,
Commissioner of Public Works.

Ordered, That the sum of \$160,000 be appropriated, to be expended by the Commissioner of Public Works, for rebuilding Cambridge Street Bridge, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Referred to the Committee on Finance.

ACCEPTANCE OF GEORGE R. WHITE BEQUEST.

The following was received:

City of Boston,
Office of the Mayor, March 11, 1922.
Gentlemen of the City Council:

In submitting for the consideration of your Board the order providing for the acceptance of the George R. White bequest, I believe it fitting that the City of Boston should officially pay tribute to this most generous citizen.

A gifted poet once wrote, "A nation's greatness lies in men, not acres; one master mind is worth a million hands," and when we consider the contribution of service to humanity made possible by the generosity and thought of Boston men, we discern the true story of Boston's greatness. The real test of character is service and devotion to the interest of one's fellow man, and to this test George R. White contributed in the fullest degree and measured up to the highest standard. George R. White was respected and loved while living because of those traits which mark a truly great man—modesty, ability and absolute unselfishness.

While we mourn the departure from our midst of one whom in life we respected, we rejoice that in his death we may be permitted to honor his memory because of the perpetual character of useful service to humanity which his great generosity has made possible. May Almighty God direct the course of those charged with the commission of his last wish, to the end that a great trust may be honorably and efficiently administered for the good of all our citizenship and the perpetuation of the memory of a truly great citizen of Boston.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
In City Council.

Whereas, George R. White, late of Boston, died leaving a will which was duly allowed by the Probate Court for the County of Suffolk on the second day of March, 1922; and

Whereas, Said will contains devises and bequests to the City of Boston upon certain terms and conditions, copies of which devises and bequests are as follows:

"Article Ninth: To the City of Boston I give the sum of Fifty Thousand (\$50,000) Dollars for the erection on Boston Common or on the Public Garden of a work of art in bronze, to be inscribed in memory of myself.

"Article Fourteenth: Whereas my sister Mary E. Sullivan has died, and I have otherwise provided for my sister Harriet J. Bradbury, I do now carry out by immediate gift my public charitable purpose which in previous wills I had provided for in remainder, and I do now give all the rest and residue of my property of every nature to the City of Boston, the same to be held as a permanent charitable trust fund to be known as the George Robert White Fund, and the net income only to be used for creating works of public utility and beauty, for the use and

enjoyment of the inhabitants of the City of Boston. It is my intention that no part of said income, however, shall be used for a religious, political, educational or any purpose which it shall be the duty of the City in the ordinary course of events to provide.

"The control and management of said Fund and the disbursement of the income shall be in the hands of a board of five trustees to consist of the Mayor, who shall be its chairman, the President of the City Council, the City Auditor, the President of the Chamber of Commerce and the President of the Bar Association of the City of Boston. If by the reason of the abolition of any one or more of these offices or the declination or resignation of any one or more of the persons holding them for the time being a vacancy or vacancies shall occur, I direct that such vacancies shall be filled by the remaining members of the board, by the election of the persons whose respective positions and duties shall in the opinion of the board most nearly correspond therewith. As this is a public charitable gift to the City of Boston, it is my intention that the City shall at all times be officially represented by a majority of the board of trustees charged with its management.

"The business of the Fund shall be transacted through the regular departments of the City, viz. the Treasurer, Auditor, Corporation Counsel, etc., and a suitable office or offices for the trustees shall be provided for them by the City in the City Hall or elsewhere, in which shall be kept all books and records of every nature relating to the management of the Fund, properly indexed and readily accessible during business hours for the reasonable inspection of citizens, so that all who desire may have full knowledge of the conduct of the business of the Fund. I direct that said income shall not be antici-pated or pledged beyond the amount actually in hand, but it may be accumulated for any purpose within the scope of the gift, and successive accumulations may be applied to the same object. Any work or works established from the Fund may be improved, extended, enlarged or added to from time to time, but the current expense of their care and maintenance shall be borne by the City. I also direct that no part of said income shall be mingled with other funds or applied in joint undertakings, but that each work established under this gift shall be separate and distinct, and shall always bear in a conspicuous place a suitable inscription identifying it as erected or established from the said George White Fund. If for any reason the principal of said Fund shall at any time become impaired, the income shall be allowed to accumulate until such impairment shall have been made good.

"Inasmuch as I believe an enlightened public opinion to be the most effective safeguard for the preservation and maintenance of such a charitable fund and the best guide to its effective use, I direct that at least once a year the trustees shall cause to be published in most if not all the daily newspapers of general circulation in Boston a full and comprehensive report, duly audited, and signed and sworn to by at least three of their members, setting forth the receipts, disbursements and investments of the Fund and a copy of this fourteenth article of my will establishing it.

"In order to diminish the chance of hasty or unconsidered action in the expenditure of income, I believe that no substantial expenditure should be made for any purpose until it shall have been under consideration by the trustees for at least three months.

"As it is probable that the said Fund will consist in greater part of real estate centrally situated in the City of Boston which is reasonably sure to increase in value, I urgently recommend that such real estate be not sold for a period of at least one hundred (100) years, that leases of the same shall be subject to revaluation as a basis of rentals every ten years and where necessary shall provide for the rebuilding by the lessees, that the real

estate shall not be mortgaged, and the buildings thereon shall be kept fully insured.

"If any clause or provision of the foregoing charitable gift shall be found to be invalid in law, it shall not invalidate the gift as a whole but so far as possible be construed as an expression of my general intent.

"While I think that Boston has now few, if any, superiors in beauty and in the many privileges it affords to its citizens, yet I believe it has greater possibilities for the future, and there are several public blessings among those afforded by other cities,—such as a zoological garden and handsome buildings therefor, an aquarium, a forum of substantial proportions for public gatherings, etc.—which we do not possess. It is with such things as these in mind that I have established the foregoing trust fund.

"I can conceive that pressure might be brought to bear to use the income of this Fund for small and comparatively unimportant needs, which might be equally deserving and technically within the general scope of the trust as heretofore expressed. A use of it for such purposes to any substantial extent would be contrary to my intention, which is that its income, accumulated if need be for a time long enough to make it sufficient, should be used only for important civic improvements.

"I suggest that printed copies, in convenient pamphlet form of this fourteenth article of my will to be kept at the office of the trustees of the Fund for free distribution to citizens of Boston.

"I request that the trustees named in this article annually designate one of their number who shall visit and inspect my lot in Forest Hills Cemetery in the months of April and September of each year, and report to the board any neglect or failure to comply with the provisions of the contract for perpetual care, as well as Article first of this my will, in regard to the care of said lot, and it shall be the duty of said trustees to see that such neglect or lack of care be remedied without delay."

Ordered, That the same be and hereby are accepted in the name and behalf of the City of Boston in accordance with the terms and conditions imposed in said bequests and devises, and that his Honor the Mayor notify the executors under said will of said acceptance and file or cause to be filed forthwith in the records of the Registry of Probate for the County of Suffolk a copy of this order certified by the City Clerk of the City of Boston.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Esther Drazin, for compensation for damages caused by the flooding of cellar at 39 Middlesex street.

Edward F. Freeman, for refund on thirteen garbage tickets.

George B. Galbraith, for compensation for damage to automobile by police patrol wagon.

Nora G. Gorman, for compensation for damages at 16 Neptune road by a leak in water main.

James H. Hays, for compensation for damage to automobile by a defect in Blue Hill avenue.

J. E. Hilliard, to be reimbursed for expense incurred on account of water in cellar at 116 Mt. Vernon street.

Arthur Hilsner, to be paid for ash barrels taken by employees of the Sanitary Division from 186 West Seventh street.

Arthur L. Koster, for return of fee for license granted but not issued by the Licensing Board.

Hugh C. McGrath & Co., for compensation for damage by sewage at 226 Tremont street.

James S. Rooney, for compensation for damage to clothing by a tree guard on Huntington avenue.

Shaw & Flynn, for compensation for damage to automobile by an automobile of the Public Works Department.

Shubert Boston Theatres, for compensation for damages by flooding caused by a break in water main in Van Rensselaer place.

Eddy Wade, for compensation for damage to automobile by a cart of the Sanitary Division.

H. G. W. Young, for compensation for damage to car by a Fire Department automobile.

James Gillis, for compensation for damage to automobile caused by city ambulance.

John P. Hall, for compensation for injuries received at the Franklin Union.

Wilford J. Berrier, for compensation for damage to automobile by fire apparatus.

Petitions were received for compensation for injuries received on the ferryboat "Ralph J. Palumbo," as follows:

David B. Cohen, Frank Di Natale, Emma G. Lawler, Helen M. Lawler, Harry Slotnick, Filomena Vitale.

Petitions were received for compensation for injuries received on the ferryboat "John H. Sullivan," viz.:

Pasquale Ferry, Salvatore Giovanni.

Executive.

Petitions for permits to sell, rent or lease firearms at various locations, viz.:

S. Robinson, 287 Tremont street, Ward 8.

J. H. Shindler, 313 Tremont street, Ward 8.

Mabel Lyman, for permit for children under fifteen years of age to appear at Jordan Hall, March 18.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Thomas J. O'Brien.
Approved by the Council.

NOTICES OF RESIGNATIONS.

Notices were received from the Mayor, by the City Clerk, of the following resignations, viz.:

Budget Commissioner, Rupert S. Carven.
Commissioner of Public Works, T. F. Sullivan.

City Treasurer, Frank S. Deland.
Superintendent of Supplies, George J. Cronin.

Placed on file.

NOTICES OF APPOINTMENTS.

Notices were received from the Mayor of the following appointments, certified copies of the same having been sent to the Civil Service Commission, viz.:

Frances A. McLaughlin, Election Commissioner.

John J. Martin, Deputy Sealer of Weights and Measures.

Rupert S. Carven, to act temporarily as Budget Commissioner.

William J. Casey, to act temporarily as Superintendent of Supplies.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of the approval of the following appointments, viz.:

Joseph A. Rourke, Commissioner of Public Works.

William J. Casey, Superintendent of Printing.

Myron P. Lewis, Park Commissioner.

Dennis D. Driscoll, Deputy Institutions Commissioner.

E. Mark Sullivan, Corporation Counsel.

Rupert S. Carven, City Auditor.
Joseph G. O'Malley, Assessor.
Edmund L. Dolan, City Collector.
Placed on file.

NEW ASSESSMENT DISTRICTS.

Notice was received from the Assessing Department of new assessment districts, showing changes for 1922.

Placed on file.

NOTICE FROM STREET COMMISSIONERS.

Notice was received from the Street Commissioners of amendment to traffic regulations making Court street, westerly from Washington street to Tremont street and Cornhill, a one-way street to vehicular traffic.

Placed on file.

CHANGE IN STREET NAME.

Notice was received from the Street Commissioners of change of name of Malcolm street, city proper, to Cedarlane way.

Placed on file.

NOTICE OF HEARINGS.

Notice was received from the Street Commissioners of hearings on petitions to keep and sell gasoline on March 27, viz.:

Edmund J. Connelly, 1550-1556 Commonwealth avenue, Ward 25, 1,000 gallons.

Peter A. Murray, 1209-1211 Columbus avenue, Ward 15, 2,000 gallons.

Colman & Gilbert, 319 Huntington avenue, Ward 7, 5,000 gallons.

Referred to the Executive Committee.

NOTICE OF CONTRACT.

Notice was received from Joseph P. Manning, in accordance with law, of interest in contract with the Institutions Department.

Placed on file.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for fourteen newsboys and two vendors—that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

MUNICIPAL BUILDING, ROXBURY CROSSING.

Coun. WATSON offered a resolution—That his Honor the Mayor be requested to send to the City Council a loan order for a sum sufficient to select a location and erect thereon a municipal building in the vicinity of Roxbury Crossing for the use of the inhabitants of Wards 13, 14 and 15.

Coun. WATSON—Mr. President, I desire to take a moment or two of the Council's time to explain the necessity of such a loan. I have endeavored for seven years to bring about the establishment of a municipal building in each of the three wards mentioned, but have been perfectly willing to compromise on one in the center of Roxbury to take care of the three wards. I am satisfied that at the present time to ask for a municipal building for each of the wards would be asking too much, although the population of each ward is as great as the population of any one of the South Boston wards, or of Ward 6, which has a new building, or Ward 12, which has one. The total population of the three wards—13, 14 and 15—is as great as, if not greater than, that of any other three wards physically connected in the City of Boston. The total population of Wards 13,

14 and 15 is 78,000. There is not a public building in any one of the wards in which there could be held a public meeting of any size, nor is there a public building within the boundaries of those three wards that has the accommodation or conveniences necessary for the comfort of those who might attend. There are private civic centers. There is the Eliot Square civic center, the old Norfolk House, run by private subscription, which affords much in the way of comfort, pleasure and convenience for the people in the Wards 13 and 15 section, as the wards join at that particular spot. But that is run under private control. Many people embrace the opportunity to enjoy there the privileges afforded by private subscription, and they are private in every particular. There is an assessment made each time when something of importance goes on, and those who attend must pay. There is afforded, aside from that, without expense, an opportunity for the rehearsal of plays and for playing whist games and doing other things of the sort, free of charge. But it is under private control. Then, at Elmwood street, there is what was formerly a ward room, where meetings can be held, but a place where very few can be gathered. Then, at the Lowell School, almost on the line of Ward 22, at the other end of the ward, meetings can be held by payment to and through the courtesy of the School Committee, but the place there is at the top of the Lowell School. The only other place I know of in the district where a public meeting might be held, which is at all convenient is at the Cummings School, at the corner of Parker and Tremont streets, near Roxbury Crossing. But the building is a fire trap and the meetings are held at the top of it. I saw 400 people crowded into the room there at one of Mayor Curley's meetings, and four or five times as many outside trying to get in. We haven't a single public building in which people can congregate to consider matters of civic welfare. I realize that perhaps I am belated and that my critics can truthfully say so,—that I am late in my endeavors to secure a public building in any ward of the three where the people can congregate. But I have a good reason for that. I have made the request of three Mayors—of Mayor Fitzgerald, Mayor Peters, and I think Mayor Curley originally,—but conditions were not right for putting the thing through at the time when I requested. Therefore, I had no desire to go ahead and shove an order through here that meant nothing. I am now reasonably certain that something will be done, not because of any guaranty given me by the Chief Executive, but by his conduct. Today, when the matter was broached to him, he did not show any antagonistic disposition towards the proposition, and I think there is a pretty good chance of getting an even break with him in this way, securing in this way a much needed improvement, which can be centrally located so as to accommodate the three wards, and which will be of great benefit to the people of Roxbury. Wards 13, 14 and 15 have 78,000 population, and, according to the municipal register, counting by acres, have 56 plus people to each acre. That is pretty congested, Mr. President. Wards 9 and 10, South Boston, with a population of 53,000, have a public building, and a grand one,—and I voted for it; and Ward 11, by itself, with 26,000 population, has a public building,—and I helped by my vote, as far as I could, to bring that about. The three wards of South Boston,—Wards 9, 10 and 11,—with 79,000 population, have two public buildings, and the number of people per acre in those three wards is 44, 12 less people per acre than there are in Wards 13, 14 and 15, with no public building. On the other hand, Ward 12, his Honor the Mayor's former home ward, with 28,000 population, has had a municipal building for a long time, with a gymnasium, baths, and a large auditorium. There is also Ward 6, with a population of 35,000, for which last year we passed an order concluding our part of the work of giving a \$400,000 municipal civic center to Ward 6. Wards 13, 14 and 15 are

not the only sections of Boston that have been neglected. There is Brighton, for which Coun. Walsh is endeavoring to get a public building, and it should have one. Such buildings are assets to the city rather than liabilities. There is Ward 5, Martin Lomasney's ward, which needs a public building more than any section of Boston,—and I stand ready to vote any necessary sum of money for that purpose, not for Martin's sake but for the people who live in the ward. I trust that before the meeting closes that an order covering that particular matter will be introduced, and I will gladly vote for it now and every time when I am given an opportunity to do so. I hope I have given strong reasons and convincing arguments, if not in words in facts and figures, showing the necessity of a public building for that section of Roxbury which now has nothing except me,—and I am not much. Mr. President, I ask the co-operation of all my efforts, great or little, to bring about this proposition. I voted for a similar proposition for your district, sir (indicating Coun. Donoghue), and for yours, sir (indicating Coun. Moriarty).

Coun. MORIARTY—But you also voted to take it away. After voting twice to give it, you also voted at the last meeting to take it away.

Coun. WATSON—That was not a public building. That was a gymnasium. I am referring to your South Boston public building, the municipal building up on Broadway, between Dorchester and Emerson streets. Yes, I voted to rescind our vote on the other matter, and I stand prepared to vote again the same way. I thank you for the correction, and you ought to thank me for mine. I ask the other members to be with me in this matter. As for you, Mr. President (Coun. Brickley), I voted to bring to a successful conclusion your magnificent municipal building in West Roxbury, and I am prepared to vote today for an order offered by Coun. Hagan for one for his ward, Ward 5,—I mean the order that you propose to introduce, not for your own ward. But you always get the votes there, Henry. The only part of the city neglected is Ward 8, and I am not worrying about that. That is Coun. Lane's ward. They have their own way of doing things up there; why, they even keep the traffic off some of the streets for fear that people living in the neighborhood will be waked up. I think that is true of Marlborough street, that there is no traffic allowed there at certain hours. So you ought to be satisfied, Councilor. I ask your co-operation in this matter, because you must remember that you represent Roxbury as well as I do. That is a part of your constituency. We have been liberal in the matter of orders for Coun. Lane's district; we have not been niggardly with Wards 1 and 2, in East Boston; we have not been niggardly with Charlestown. Districts that have not had representatives here have, nevertheless, been well taken care of. Next year we will have district councilors. The new system will not take anything away from me, because I do not lose two years, as some of the members here do. I sincerely trust that I will have the co-operation of my colleagues in bringing about what is needed in Roxbury.

Coun. MORIARTY—Mr. President, I thought we were a municipal Council until I heard my colleague on the other side. I have yet to see wherein I could thank him for his correction. I still feel that the gymnasium in South Boston is a municipal building; if it was not a municipal building we would have no right to appropriate money for its erection. I don't feel that he has corrected me. But, notwithstanding what the member from Roxbury has said, I stand ready to vote for his appropriation.

Coun. WATSON—Mr. President, I stand corrected. I was in error. I beg your pardon.

Coun. MORIARTY—Mr. President, I stand ready to vote for his order for an appropriation for a municipal building in Roxbury, and I am not going to vote later, after voting to

appropriate the money, at any future time to take it away.

Coun. WATSON—Very kind of you. I appreciate it.

The order was passed under suspension of the rule.

MUNICIPAL BUILDING, WEST END.

Coun. HAGAN offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to furnish the City Council with a list of sites available for a municipal building in the West End, and the cost of same, said building to contain a hall, bathing facilities, etc.

Coun. HAGAN—Mr. President, I am going to ask a suspension of the rule for the passage of the order at this time. I hardly think that I need make any argument in behalf of the order, as the argument was made by the gentleman who preceded me.

The order was passed under suspension of the rule. Coun. WATSON called for the yeas and nays, yeas 9, nays 0.

PAYMENT TO MRS. MCGILL.

Coun. FORD offered an order—That the City Council of Boston hereby accepts chapter 70 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to pay a sum of money to the mother of Arthur B. McGill."

Referred to the Executive Committee.

BATH HOUSE, JEFFRIES POINT.

Coun. FORD offered an order—That his Honor the Mayor be requested to send to the City Council a loan order for \$300,000 for taking of land and erection of bath house at Jeffries Point, East Boston.

Referred to the Committee on Finance.

JOSEPH C. CROWLEY SQUARE.

Coun. FORD offered an order—That the space at the junction of Rutherford avenue and Devens street, Charlestown, be named and known as Joseph C. Crowley square, in honor of the memory of said Joseph C. Crowley, who lost his life in the World War, and that suitable signs be placed thereon to designate the same.

Passed under a suspension of the rule.

BATHING BEACH, BRIGHTON.

Coun. WALSH offered an order—That his Honor the Mayor be requested to consult with the Metropolitan District Commissioners for the purpose of obtaining a location for and permission to maintain a bathing beach on the Charles River Reservation, Brighton, in the vicinity of the western end of Soldiers' Field road.

Passed under a suspension of the rule.

REINSTATEMENT OF DANIEL J. O'SULLIVAN.

Coun. WALSH offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Daniel J. O'Sullivan as inspector in the Public Works Department.

Referred to the Executive Committee.

MUNICIPAL BUILDING, BRIGHTON.

Coun. WALSH offered an order—That there be appropriated the sum of \$350,000 for the construction of a municipal building in Brighton under the direction of the Superin-

tendent of Public Buildings, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

RE-EMPLOYMENT OF JAMES KELLY.

Coun. MORIARTY offered the following: Resolved, That the City Council of Boston favors legislation for the re-employment of James Kelly in the Institutions Department of the city.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3.24 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.58 p. m.

FINANCE.

Coun. LANE, for the Committee on Finance, submitted the following, viz.:

1. Report on message of Mayor and order (referred February 27) for loan of \$800,000 for sewerage works—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

2. Report on message of Mayor and order (referred today) for loan of \$160,000 for rebuilding Cambridge Street Bridge—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

3. Report on message of Mayor and order (referred today) for loan of \$175,000 for rebuilding Beacon Street Bridge—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

4. Report on message of Mayor and order (referred today) for loan of \$500,000 for Highways, Making of—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

5. Report on message of Mayor and order (referred today) for loan of \$800,000 for sewerage works—that the order ought to pass.

The order was given its first reading and passed, yeas 9, nays 0.

(All the above loan orders will take their final readings not less than fourteen days from date).

6. Report on order (referred October 10) for loan of \$150,000 for extension and improvement of Christopher J. Lee Playground, South Boston—recommending its passage in the following new draft, viz.:

Ordered, That the sum of \$100,000 be appropriated for the extension and improvement of the Christopher J. Lee Playground, South Boston, and that to meet said expenditure the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

The report was accepted and the order was passed, yeas 9, nays 0.

The order will take its second reading not later than fourteen days from date.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD for the Executive Committee, submitted the following, viz.:

1. Reports on petitions (referred today) for permits to sell, rent or lease firearms—that permits be granted, viz.:

J. H. Shindler, 313 Tremont street, Ward 8.
S. Robinson, 287 Tremont street, Ward 8.
Reports accepted; permits granted on the usual conditions, yeas 8, nays 1, Coun. MORIARTY voting nay.

2. Report on petition of Mabel Lyman (referred today) for permit for children to appear at Jordan Hall, March 18—that permit be granted.

Report accepted; permit granted on the usual conditions.

3. Report on communication from Board of Street Commissioners (referred February 20) giving notice of hearing on license to store gasolene—that the same be placed on file.

Report accepted; communication placed on file.

4. Report on order (referred February 27) for County Commissioners Employment Office—that no further action is necessary.

Coun. WATSON—Mr. President, in order that we may have the record complete, I want it known that I introduced that order at the suggestion of an editorial, I presume written by Robert Lincoln O'Brien of the *Boston Herald*, in which he referred to the fact that there was a free state employment bureau, that the Mayor was to have one, that he felt that James A. Watson should have one. In the Executive Committee I suggested that our Clerk, Mr. Baldwin, write to Robert Lincoln O'Brien, the editor of the *Herald*, and ask him to come down to a Council meeting and give us his views concerning the matter. Subsequently a letter was received from Mr. O'Brien, which I want to have made a part of the record. In view of the fact that Mr. O'Brien did not come down and give us the benefit of his presumed intelligence or any valuable suggestions with reference to the matter of additional employment bureaus and ways of meeting the unemployment situation, while I acquiesce in the report of the committee, I do feel that Mr. O'Brien's letter should be made a part of the record.

The letter referred to by Coun. Watson is as follows:

Boston, March 8, 1922.

John E. Baldwin, Esq.,

Clerk of Committees, City Hall, Boston:

My dear Sir,—I am in receipt of your letter of March 8, inviting me to attend a meeting of the City Council on Monday next relative to an order introduced by Councilor Watson as to the advisability of establishing a county commissioners office for the employment of people out of work.

I regret that my appointments are such that it will be impossible for me to be present.

With kind regards,

Sincerely yours,

ROBERT L. O'BRIEN.

The report was accepted.

5. Report on order (referred today) favoring legislation for the reinstatement of Daniel J. O'Sullivan in the Public Works Department—that the order ought to pass.

Report accepted; order passed.

6. Report on order (referred today) favoring legislation for re-employment of James Kelly in the Institutions Department—that the order ought to pass.

Report accepted; order passed.

7. Report on message of Mayor and order (referred today) that an additional sum of \$20,000 be expended in connection with hearings on street lighting contract—that the order ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. WATSON—Mr. President, this is another link in the chain that we are slowly but surely forging around the Edison Company, to compel them to reduce the price of electricity to the general consumers and also to

the city. Up to date there has been for a year a diligent and hard fight on the part of this body to compel, through public sentiment, action which would result in a reduction of charges to the public for electricity by the Edison Company. The city has already, through its accredited representative in the Law Department, and through its activity before the Public Utilities Commission, compelled the Edison Company to reduce the price of electricity to 10 cents per kilowatt hour and to eliminate the coal charges. Prior to the agitation started by this body the Edison Company was charging consumers 11 cents per kilowatt hour, plus the charge for coal and a 5 per cent charge. The price has been reduced to 10 cents per kilowatt hour, eliminating the coal charges and the 5 per cent charge, as of a certain date. As a result of Mayor Peters during his term, together with the *Boston American*, through its attorney, Grenville S. MacFarland, prosecuting the Edison Company before the Public Utilities Commission for a reduction in price, I am satisfied from information that I have at first hand from those active in the matter that the Public Utilities Commission, on the evidence submitted by the Edison Company through its officials and employees, without any evidence on the part of the city, cannot help reporting back, telling the Edison Company to reduce the price of electricity to 8 cents per kilowatt hour. I believe after the city has finished its case, as it will be enabled to do through our assistance in the matter of providing funds, the consumer of electricity in Boston, the ordinary business man and the householder, will be paying not more than 7 cents per kilowatt hour, meaning a reduction of practically two-fifths as compared with the original price of 11 cents. Mayor Curley has shown a very magnanimous spirit in the matter. It has been rumored, evidently without being based on fact, that he did not intend to continue the prosecution of the Edison Company for lower rates before the Public Utilities Commission; that he intended to take the matter out of the hands of Arthur D. Hill, former corporation counsel, and Grenville S. MacFarland, of the *Boston American*, and their assistants and staff, and so far as the city officially was concerned, to discontinue the contest. He has magnanimously decided to go through, to use the vernacular of the street, with the case against the Edison Company and to give those appointed by Mayor Peters to prosecute the case free hand. He intends to uphold their hands all the way through, and he has shown a magnanimous spirit that the public should appreciate. When you stop to think of the reduction in the charge of 11 cents per kilowatt hour by the Edison Company down to around 7 cents it will mean a saving to every user of electricity in Boston of two-fifths of the price now paid. Furthermore, Mr. Arthur D. Hill, representing the City of Boston, is prosecuting before the courts an appeal to compel the Edison Company to restore to the citizens of Boston and the city every dollar received by them under the coal clause since a certain date. I am glad that this matter is now before us in this form. I knew that Mayor Curley would go through with the proposition. I knew that he intended to make his administration one that he might be proud of. I knew that he intended to compel every public service corporation—the Edison Company, the gas company, the railroads and others—to do the right thing by the people who give them an opportunity to exist and to pay to their directors and investors a large return on their money. I cannot help at this time paying a tribute to him for his position, and saying that he has not only done the proper thing, but has done the wise thing.

The order was passed, yeas 9, nays 0.

8. Report on message of Mayor and preamble and order (referred today) accepting the George R. White bequest—that the order ought to pass.

Report accepted; preambles and order passed.

ORDINANCES.

Coun. HAGAN, for the Committee on Ordinances, submitted a report on message of Mayor, and ordinance (referred today) altering the personnel of the Transit Department of the city—that the ordinance ought to pass.

Report accepted; ordinance passed. In connection with the report Coun. DONOGHUE offered the following:

Resolved, That the City Council hereby requests his Honor the Mayor to ask the Transit Commission to give citizens of Boston the preference in the matter of employment. Adopted.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 to 4, inclusive, viz.:

Action on appointments submitted by the Mayor March 6, 1922, viz.:

1. Robert E. Sexton, to be a Constable.
2. Ercole Franchini, to be a Constable.
3. Joseph F. Goode, to be a Constable.
4. Harry Nankin, to be a Weigher of Beef.

The question came on confirmation. Committee—Coun. Ford and Watson. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

PLAYGROUND, WARD 13.

Coun. WATSON offered an order—That his Honor the Mayor be requested to establish a

playground in the upper section of Ward 13 and that his Honor be requested to send in a loan order for the cost of the same.

Passed.

IMPROVEMENT OF GIBSON STREET PLAYGROUND.

Coun. GILBODY offered an order—That the sum of \$100,000 be and hereby is appropriated for the extension and improvement of Gibson Street Playground, Dorchester, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

GENERAL RECONSIDERATION.

Coun. WATSON moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.13 p. m., on motion of Coun. MORIARTY, to meet on Monday, March 20, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 20, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair, and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of the law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear April 4, 1922:

Charles J. Whitlock, Ward 3; Angelo J. Bimber, Ward 5; Bernard H. Levitt, Ward 5; Elmer W. Reed, Ward 5; Herbert H. Robbins, Ward 5; Samuel Rosenberg, Ward 5; Russell R. Walton, Ward 5; Daniel J. Donahue, Ward 6; John J. Fitzgerald, Ward 6; John B. Godard, Ward 6; Cornelius J. Bailey, Ward 7; Louis M. Parent, Ward 7; John J. Doherty, Jr., Ward 9; William Spratt, Ward 11; Albert C. Brennan, Ward 12; Edward G. Hook, Ward 12; J. Plummer Noyes, Ward 12; Earl B. Shaw, Ward 12; Edward T. Kenney, Ward 13; James W. Rankin, Ward 13; George F. Riley, Ward 13; John S. Blackwood, Ward 15; John S. Dooley, Ward 16; Thomas F. Mulvey, Ward 16; Thomas J. Wickham, Ward 16; Isaac M. Kontoff, Ward 19; Jeremiah F. McCarthy, Ward 19; Abraham Sorocka, Ward 19; Charles F. Bennett, Ward 21; John J. Bumstead, Ward 21; Joseph M. Cushing, Ward 21; Hegman Nollman, Ward 21; Alexander Dick, Ward 22; Arthur T. Storer, Ward 22; Joseph H. Turrell, Ward 22; John Graumann, Ward 23; John H. Miner, Ward 23; Alexander D. Morgan, Ward 23; Frank Shea, Ward 26; Arthur Woods, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear April 4, 1922:

Nathaniel J. Cavagnaro, Ward 2; Richard O. Hughes, Ward 2; Hugh A. McClelland, Ward 2; Alphonso M. Badger, Ward 4; John A. Green, Ward 5; Walter E. Bangs, Ward 6; Theodore J. Boyle, Ward 6; James McCarthy, Ward 6; George W. Bliss, Ward 7; Willis Mills, Ward 7; Charles Myers, Ward 7; Russell J. Pitman, Ward 7; John Sweeney, Ward 8; John Welch, Ward 9; James F. O'Brien, Ward 10; Christopher G. Brady, Ward 11; Joseph D. Bruneau, Ward 11; William H. Dyer, Ward 11; Thomas F. Donohue, Ward 12; Charles A. McCarthy, Ward 12; Francis Lowe, Ward 15; Michael F. Cody, Ward 17; Mandell B. Locke, Ward 17; William S. Shaw, Ward 17; Edward Barker, Ward 18; Edwin S. Gillespie, Ward 18; Perry Goldberg, Ward 18; Albert P. Lipshultz, Ward 18; Charles W. Tweed, Ward 18; Henry J. Weymouth, Ward 18; Augustus H. Moody, Ward 20; Allen J. Smith, Ward 20; Joe Cupinsky, Ward 21; Peter J. Hernanson, Ward 21; William Neilson, Ward 21; James E. Finigan, Ward 22; Frank Gardella, Ward 23; Daniel Sullivan, Ward 24; David F. Morris, Ward 25; Patrick H. McNieley, Ward 26.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear April 4, 1922:

Alexander W. Frederic, Ward 1; Walter Bell, Ward 1; Charles H. Lawrence, Ward 1; Alfred McAdam, Ward 1; Patrick H. Powers, Ward 3; James M. Sullivan, Ward 3; Frank W. Brown, Ward 5; Timothy C. O'Connell, Ward 6; John E. Van Tassel, Ward 6; Patrick J. Bushnell, Ward 7; Ulric Oswald Crise, Ward 8; Joel E. Lawrence, Ward 8; Edward H. Parkhurst, Ward 8; Herbert G. Oakes, Ward 9; Joseph B. Mathews, Ward 11; Patrick J. O'Keefe, Ward 11; John T. Sheedy, Ward 12; James Toohy, Ward 12; Joseph M. Gladback, Ward 14; Samuel Scaman, Ward 16; Herbert E. Trask, Ward 16; Raymond F. Barnes, Ward 17; Jerome L. Proctor, Ward 17; Timothy J. Ahern, Ward 18; William E. Barrett, Ward 19; Isadore Madoff, Ward 19; George W. McBride,

Ward 19; Harry Werner, Ward 19; Charles E. Colby, Ward 20; Charles A. Meisel, Ward 20; Ernest H. Shortwell, Ward 21; John D. Fallon, Jr., Ward 21; John A. H. M. Hampe, Ward 22; Benjamin P. Flood, Ward 23; John M. Luppold, Ward 23; Charles E. MacLeod, Ward 23; James Lawson Brown, Ward 24; Cornelius Spaans, Ward 24; Julius H. Wittekind, Ward 24; John H. Kelley, Ward 26.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. Joseph A. Delaney, 1841 Columbus avenue, Roxbury, to the position of Constable of the City of Boston.
 2. William A. Collupy, 714 Washington street, Dorchester, to the position of Constable of the City of Boston.
 3. William A. McGunigle, 26 East Brookline street, Ward 6, to the position of Constable of the City of Boston.
 4. John E. Hart, 83 Court street, Ward 5, to the position of Constable of the City of Boston.
 5. Henry Santososso, 26 Gladstone street Ward 1, to the position of Constable of the City of Boston.
 6. William J. Cargill, 15 Miller street, Ward 3, to the position of Constable of the City of Boston.
 7. Joseph F. Kelly, 40 Cushing avenue, to the position of Constable of the City of Boston.
 8. Frank Gallon, Wellesley Hills, Mass., to be a Weigher of Goods.
 9. Fred William Miles, 235 Beach street, Wollaston, Mass., to the position of Weigher of Goods.
 10. Martin J. Maguire, 42 Granger street, Dorchester, to the position of Weigher of Coal.
- Laid over under the law.

MUNICIPAL BUILDING, BRIGHTON.

The following was received:

City of Boston.

Office of the Mayor, March 17, 1922.

To the City Council:

Gentleman,—In response to your request of February 20 I am transmitting herewith a report from the Superintendent of Public Buildings relative to sites available, and the cost of same, for a municipal building in Brighton.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston.

Public Buildings Department,

March 10, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—Replying to the inclosed order from the City Council, which was referred to me, and having reference to a report on the available sites and location of same for a municipal building in Brighton, I respectfully state that I have visited Brighton and have selected several sites which would be available, have taken said subject up with the Assessing Department and respectfully submit the attached statement.

Respectfully yours,

FREN J. KNEBLAND,

Superintendent of Public Buildings.

Placed on file.

DEPUTY COMMISSIONER OF PUBLIC WORKS.

The following was received:

City of Boston,

Office of the Mayor, March 18, 1922.

To the City Council:

Gentlemen,—Owing to the size and varied activities of the Public Works Department, a large part, and in my opinion a disproportionate part, of the work imposed on the commissioner has consisted of the signing of bills, pay rolls, and requisitions and attending personally to other clerical and detail work, thereby consuming time which might better be devoted to improving the efficiency of

the department and devising means of bettering the service rendered to the public.

This condition has existed since the establishing of the department, and in order to relieve the commissioner to some extent of these more or less perfunctory duties I recommend the passage of the accompanying ordinance.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston.

In the Year Nineteen Hundred and Twenty-two.
An Ordinance Relative to the Deputy Commissioner of Public Works.

Be it ordained by the City Council of Boston, as follows:

Section one of chapter twenty-eight of the Revised Ordinances of 1914, as amended by chapter three of the Ordinances of 1916, chapter two of the Ordinances of 1917, and chapter three of the Ordinances of 1921, is hereby further amended by adding at the end thereof the following:

The commissioner may, from time to time, by a writing approved by the mayor and deposited with the city auditor, designate, for such period as may be specified therein, one of his division engineers to be deputy commissioner. The deputy commissioner shall have authority, by virtue of such designation, to approve and sign hills, drafts, pay rolls, and requisitions, and to perform such other routine duties as the commissioner may require, but shall not have authority to make any permanent appointments nor to make contracts, except in the absence of the commissioner and then only under a separate authorization under section twenty-two of chapter three of the Revised Ordinances of 1914.

Referred to the Committee on Ordinances.

EMPLOYMENT OF CITIZENS.

The following was received:

Office of the Mayor, March 18, 1922.

To the City Council:

Gentlemen,—I submit herewith and recommend the immediate passage of an ordinance to amend section 4 of chapter 9 of the Ordinances of 1921, concerning contracts made by the city.

I am entirely in accord with the proposition that in all work controlled by the city both the contractors and those employed by them shall be citizens, and have already issued orders to the several heads of departments to see that the ordinance is strictly enforced and to charge their inspectors with the duty of reporting any violation of it.

Section 4 of the ordinances, however, in my opinion and in the opinion of the heads of the several departments, imposes a very clumsy and cumbersome method of ascertaining whether or not the employment of noncitizens under certain circumstances may be authorized.

I have established with the approval of the City Council an employment bureau which has already in only a month's existence more than justified the appropriation made for it for a year, and the amendment submitted herewith contemplates a certificate from the head of the employment bureau that he is unable to find any citizen competent and willing to do the work required before authorization is given to employ a noncitizen.

This appears to me to be a much better method of procedure, and it will have the additional advantage of encouraging registration with the bureau by citizens out of work and increase its scope and value.

I shall hold the department heads and the head of the employment bureau to a strict accountability in this matter in order that there shall be no evasion of the spirit or intention of the ordinance.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston.

In the Year Nineteen Hundred and Twenty-two.
An Ordinance Concerning Contracts Made by the City.

Be it ordained by the City Council of Boston, as follows:

Chapter nine of the Ordinances of 1921 is hereby amended by striking out section four of said ordinance and inserting in place thereof the following:

Section 4. The authorization provided for in the preceding section shall not be issued until the head of the department shall have received from the person in charge of the employment bureau established by the city a certificate that there are no persons on his list who are citizens and who are competent and willing to perform the work required. Where the employment is to be by a contractor or subcontractor the head of department shall require in addition to the said certificate a sworn statement from such contractor or subcontractor that he is unable to obtain citizens to perform the work.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

American Railway Express Company, for compensation for damage to truck by a city garbage truck.

Cambridge Gas Light Company, for compensation for damage to barge by collision with ferryboat "Governor Russell."

Frank Coffey, for compensation for injuries caused by a defect in highway at 1365 Columhus avenue.

Ahraham Cohen, to be paid for coat and gloves taken from him at the City Hospital.

George Crowley, for compensation for injuries caused by imperfect construction of tool houses at corner Cambridge and Linden streets.

Nora Dee Curtin, to be paid for damage to boiler at 65 Parsons street, Ward 26, by the shutting off of water in street.

Katherine M. Dale, matron on steamer "Monitor," to be reimbursed for money stolen from her on said steamer.

J. H. Drury, for compensation for damage to motor car by a City Hospital ambulance.

Julia Beebe Eichhaum, for compensation for injuries caused by tripping over a loose plank in Park Street Subway.

John Fagan, for compensation for injuries received on ferryboat "Ralph J. Palumbo."

Ellen Feeley, for compensation for damages at 163 Silver street, by hacking up of sewer.

George L. Glennon Company, for compensation for damage to goods and fixtures at 27 Von Hillern street, by hacking up of sewer.

Israel J. Goldberg, for compensation for injuries received on ferryboat "Ralph J. Palumbo."

George D. Hurley, for compensation for injuries received on the East Boston Ferry, March 7, 1922.

Edward P. Murphy, for compensation for injuries received from a fall on Monument avenue.

Isabelle C. O'Brien, for compensation for injuries received from a fall on sidewalk on Court street, at entrance to City Hall Annex.

Rose M. Reidy, for compensation for injuries caused by a fall on sidewalk at cemetery on Washington street, between Eustis and Nawn streets.

Harry Saperstein, for compensation for damage to truck by fire apparatus.

Joseph Saposnick, for compensation for injuries caused by a slate falling from roof of building 126 Cambridge street.

Charles K. Sullivan, for compensation for damage to automobile by a city ash cart.

Elizabeth H. Wasgatt, for compensation for injuries caused by a fall on Huntington avenue, corner Dartmouth street.

Howell T. Wood, for compensation for injuries received on ferryboat "Ralph J. Palumbo."

Executive.

Maria Paporello, for permit for children to appear at Jordan Hall, April 26.

Hyman W. Starr, for permit to sell, rent or lease firearms at 401 Columhus avenue.

NOTICE OF RESIGNATION.

Notice was received of the resignation of Edmund Billings, Transit Commissioner.

Placed on file.

NOTICE OF APPOINTMENTS.

Notice was received of the following appointments, viz.:

Thomas F. Sullivan, Transit Commissioner.
Francis E. Slattery, Transit Commissioner.
Edward E. McGrath, first assistant assessor.
Placed on file.

GRADE CROSSING.

Notice was received from the Department of Public Utilities authorizing the West End Street Railway Company to use grade crossing at Neponset avenue.

Placed on file.

GASOLENE LICENSES.

Notice was received from the Street Commissioners of the following applications for storage and sale of gasolene, viz.:

Roswell G. Hall, 24-30 Bowdoin street, Ward 19, 2,500 gallons.

J. M. Seaver *et al.*, trustees, 3682 Washington street, Ward 22, 3,000 gallons.

Edward C. Beaudet, 133 Humholdt avenue, Ward 16, 1,000 gallons.

Basil F. Hutchins, 148 Camden street, Ward 13, 1,000 gallons.

New England Engineering Company, 395 Atlantic avenue, Ward 5, 4,000 gallons.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted, at 2.47 p. m., on motion of Coun. FORD, to take a recess subject to the call of the President.

The Council reassembled and were called to order by the President at 3.31 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Hyman W. Starr (referred today) for permit to sell, rent or lease firearms at 401 Columbus avenue—that a permit be granted.

Report accepted; permit granted on the usual conditions.

2. Report on petition of Maria Paporello (referred today) for permit for children to appear at Jordan Hall, April 26—that permit be granted.

Report accepted; permit granted on the usual conditions.

3. Report on order (referred March 13) to accept act relative to payment of a sum of money to mother of Arthur B. McGill—that the order ought to pass.

Report accepted; order passed.

CONVENIENCE STATION, EAST BOSTON.

Coun. HAGAN offered an order—That the Board of Park Commissioners be requested, through his Honor the Mayor, to meet the urgent desires of the people of East Boston to install in Central square a convenience station for men and women, either above or below ground, as will meet with the approval of the Board.

Coun. HAGAN—Mr. President, I am going to move a suspension of the rule for the passage of this order, as I feel quite confident that every member of the Council will be glad to vote for the order at this time. As a matter of fact, this is a matter which has been agitated for a long term of years. I can remember six or seven years ago presenting such an order, but the accommodations suggested have not been granted, Mayors have come and gone, and nothing has been done. I think it is time that somebody took some decided action to see if we cannot do something to meet the wishes, the actual necessities of the people of that district. Therefore, I ask for a suspension of the rule, and a passage of the order.

Coun. DONOGHUE—Mr. President, I have no objection to suspension of the rule and passage of the order offered by Coun. Hagan. I merely

want to say in connection with the order introduced at this time that it is about time that the Park Department of the City of Boston paid some attention to orders passed by the City Council. During my term in the City Council I know of no other commission or department which has so completely ignored orders which have been passed by the City Council as has the Park Department. A flagrant outstanding exhibition, to my mind, of the lack of courtesy shown to the City Council by the department has been the lack of action by the department on suggested names of squares and playgrounds in honor of veterans of the World War. Up in the district where I happen to live there is a playground called the Randolph Street Playground, and an order was introduced here almost a year ago asking that the name of that playground be changed to Lester J. Roach Park. But no action has been taken upon the matter, so far as I know or so far as the President of the body who introduced the order knows, in the direction of changing that name, in honor of one of the young fellows of the district who gave his life for the country. A similar condition prevails out at Marcella street, as well as in other sections of the city. I think the Park Department should take action upon those matters. They should at least let the Council know whether they favor or oppose the changing of the names of these playgrounds in honor of veterans who gave their lives in the service of their country. I feel that the Park Department has fallen asleep on its job particularly on these matters. The same attitude has been taken on other orders that have been introduced by different members of the body. One that occurs to my mind is in connection with this order offered by Coun. Hagan, dealing with a proposed convenience station. I introduced an order to eliminate one of the convenience stations located on Washington street, near the Franklin Square House, in the South End district. It is entirely a man's convenience station, concerning which a great deal of complaint has been made. I introduced that order here more than eight months ago, and I have yet to hear even an answer to it. I think the commission ought to show us at least the courtesy of an answer to orders that we put in.

Coun. WATSON—Mr. President, I want to state that I agree with the expressions to which Coun. Donoghue has given utterance, to the letter. I think the Park Commission has treated this body, in each of the nine years that I have been here, in a way in which it has not deserved to be treated. I introduced several orders last year calling for the changing of names of certain parks, in honor of veterans. There is one that I have in mind particularly, which has also been referred to by Coun. Donoghue, concerning the Marcella Street Playground. "Marcella street" means nothing. It does not commemorate any man or anything, except a mere street. I put in an order to have the department consider the advisability of calling that James Connelly Playground more than a year ago. I have sought an opportunity to be heard by the Board on the matter, but for some reason the members have been out of town or could not hear me at one time or another, and Mr. Shea could not act alone. I put in another order to change the name of Wood Island Park to "Veterans of the World's War Park," or something of that nature, or "Hero Park," but nothing has been done about it, and we have not even been given the courtesy of recognition in the matter. One of the active citizens of East Boston, Mr. Ghiblin, has been continually after me in the matter, and I have tried to get action or to have a hearing upon it, and some of the East Boston papers have been calling me this and that because of my position on the matter. I do think it is high time that the Park Department showed us a little courtesy. One of the reasons for lack of action in these things may be because of the fact that the only paid member of the commission is the chairman, and he is in the minority. The others are unpaid. It is the old story, frequently no pay employment is no good and paid employment at times of very little good. That is the whole story. As Mayor Curley told us the other day, in the matter of the ordinance for three Transit Commissioners, at salaries of \$5,000 for two of them and \$7,500 for the chairman, it was his experience that where men served simply for glory, in city, state or nation, they did not give what they should give to the public. I agree with him heartily. You can pick out some of the most eminent men we have in the city, men of high standing and ideals. When they are appointed

to public positions, working without compensation, while they may love their work, as members of an unpaid board you do not get results from them. That is the trouble with the Park Department. There are two unpaid members on the Board, and the details of the department are run by the paid chairman. But the unpaid members, feeling that they are serving for nothing, that they are doing the city a favor by serving for nothing, are arrogant and look down upon us. I, as one member of this body, do not propose to let any unpaid commission or any unpaid board treat me as a member of this body otherwise than with respect. But I have waited upon that Board and tried to get proper consideration from them, and I have not received it. As a matter of fact, there are certain newspapers in East Boston, with a paid circulation of perhaps ten or fifteen copies a week, which have more influence with the Park Department than I have as a member of this government. I think it is high time that the Park Department showed a little life. I am not criticising the chairman; he is fairly good. But I am criticising the unpaid members. We want some action, and I trust that in the near future we will have a hearing and that I and other members of the body who have introduced orders requesting that certain names be given to parks under the control of the Park Department, will have an opportunity to be heard. Certainly we should be given some consideration. These men do not think it wrong to name a location away out on Beacon street "Gaston square." Must a man be of tremendous importance in the community in order to have a square named after him? Is no consideration to be paid to the humble man, a veteran of the war, even such small consideration as is shown by naming a park to commemorate the service he has done for the country? I am strongly of the same opinion in this matter as you, Coun. Donoghue, Coun. Hagan. For years we have been introducing orders, and no attention has been paid to them by this department. I remember, Coun. Hagan, that six or seven years ago you put in practically the same order that you have introduced here today, and made a long speech in favor of it, showed an interest in the matter. But you heard nothing from it. I agree with you, and I would simply like to amend here by adding to it that the Park Department inquire into the matter and furnish the Council with the probable cost of the convenience station named in the order.

Coun. HAGAN.—Mr. President, I accept the amendment and gladly welcome the co-operation of my esteemed colleague.

Coun. GILBODY.—Mr. President, I would like to say just a word in addition to what has been said by the two members of the body on the other side. I think this commission has unjustly treated many thousands of residents of our city who have attempted weekly and monthly to get some satisfaction. It seems to me that their request should be given some consideration, either "Yes" or "No." It seems to be impossible to get either answer from this body upon the bill, and I merely rise, on behalf of thousands of people of Boston, to say "Amen" to the previous remarks of Coun. Watson and Coun. Donoghue.

Coun. MORIARTY.—Mr. President, I want to say that I am in the same position as some of the gentlemen who have spoken, so far as introducing orders to name spaces after veterans of the World War is concerned. But I do not blame the Park Department altogether. I take my own blame individually upon myself. If I introduce an order here and do not receive the recognition which I ought to receive, I keep plugging at No. 33 Beacon street, and I have been quite successful in following up that method. It is all right to introduce an order here today, because some one we meet asks us to do it, and we do it in a sort of fashion; but I do not feel that we have done our duty if within a certain time we find that we are getting no action in regard to the matter we are interested in, unless we follow it up. I feel that some of the criticism of the commission here is justified, but, again, I feel that some of the criticism is not justified. I think if we do not feel that the commissioners are doing their duty we ought to have the clerk notify them to be here at our next meeting, and tell them then and there what we desire from them. I don't think we ought simply to express our opinion here in this way. I do not have any idea that any of the commissioners are going to read the criticisms that have been made of them here today and therefore our words have gone for naught.

Coun. WATSON.—That isn't so.

Coun. MORIARTY.—Well, Mr. President, I am going to do my own thinking. The member on the other side may do his for himself, but I am going to continue to do my own for myself, without any remarks from him. I will say that I am not so intimate with the Park Commissioners as to know what they do and what they do not do. If he knows their daily habits, whether they read the newspapers or the minutes, in regard to our proceedings, he knows more about them than I do. But I believe the right way to do, if we are sincere, is to ask the whole commission to come to our next meeting, and have our clerk instructed to ask them to be prepared to answer as to what has been done about orders that we have introduced here concerning that commission for the past few years, orders upon which we have received no recognition, and we can then ask them the reason why. I believe if we go about it in that way we may be able to accomplish something, learning about orders that have been sent to the Park Department upon which there has been no action. I want to say that I introduced an order here a short while ago for the naming of the pier in South Boston. I have got no action upon it up to the present time. The Park Commissioners have not acted. I feel the same as other members of the Council. But I feel that the best way to find out what we want to know is to ask them to appear here at our next meeting; and after this resolve is acted upon I am going to ask that the Council request the Park Commissioners—not the chairman, not one unpaid commissioner, but the chairman and the unpaid commissioners,—to appear here at the next meeting and then let us say in our humble way what we expect and what we do not expect from them in behalf of those we represent.

Coun. WATSON.—Mr. President, I have been nine years in this body and I don't think I have to take any suggestion from any other member to go and have things done by any of the different departments. I don't think that the other members of this Council are failing to do their duty. There are other members besides the councilor opposite who do their duty, who try to serve the people properly. So far as our proceedings here not being noticed by the Park Commissioners is concerned, I will guarantee that before five o'clock—and it is now five minutes past four—the telephone, 4066 Haymarket, will ring and somebody will ask for the chairman and the chairman will be told by somebody that Jerry Watson, Johnnie Donoghue, Gilbody and Hagan have been kicking the slats out of him and the commission.

Coun. HAGAN.—Not in what I said.

Coun. WATSON.—Well, your order started the whole thing. It will get to them, of course, it will get to them. As far as letting departments know what we think of them is concerned, I guess everybody here knows my reputation, and you all know what I will tell the chairman of the Park Commission when I see him. I have been on his back continually in connection with different orders here, different things in which we are interested; and if I was not on his back, good Lord! I would be dead, because Giblin has been chasing me three times a week about one of these matters in particular, and I have been on the chairman's back in regard to it. I cannot get at the others. They are there occasionally only. They give as much as they are paid for, and that is nothing, and they get nothing in return. But when the gentleman opposite (Coun. Moriarty) gets up and suggests that he is on the job, that he goes at these things in the right way, and that the rest of us ought to go at the heads of departments the way he does, I simply want to say that anybody in Boston who knows me knows that I never fail to read the riot act to anybody who does not do as I think he should do, because that is a disease of mine. I have been getting after people for years, and have been doing my duty as well as any of the other members. I simply say that the Park Department continually ignores me, as one member of the body, the same as they ignore others, and I suppose they will continue to do it as long as two of the members are performing their duty without pay.

Coun. DONOGHUE.—Mr. President, I have no desire to bring in any arguments as to what is the best, most advisable way, to have this matter handled, whether we should take the advice of the councilor on the other side (Coun. Moriarty) who first advised us that we should attend to these matters personally by going to the commission, and

concluded by saying that we should bring the commission here and tell them what we have been saying this afternoon, or whether we should do something else. I personally feel that we will accomplish some results through publicity as to what has taken place here this afternoon. I also want to assure the councilor on the other side that as far as personal application is concerned, I was not the introducer of either of the orders I have referred to, the Randolph Street Playground or the Marcella Street Playground orders. They were introduced by other members of the Council. But upon those, as upon other matters, I feel that we should have some action, not through personally chasing after the members of the commission but because of the fact that we are members of this Council and that when orders are introduced here and we pass them some attention should be paid to them by the different departments. Of course, we may all have different ideas as to the best way to handle propositions that come up here. We might all be the wisest men in the world, and still we would have differences of opinion as to the best means to employ. What I might think would be wrong. I don't claim to be infallible, and what some other councilor might think as to the proper way of accomplishing results might be correct or incorrect. I do, however, think that the agitation that has been stirred up here this afternoon will at least convey to the Park Department the fact that we realize that they are not taking any action on a number of orders passed by this body. Whether we should have them come down here so that we may tell them personally what we think of their action, or whether it should stand in the minutes of the City Council, does not matter to me, so long as the result is accomplished.

Coun. MORIARTY—Mr. President, I want to say that I made my remarks with no thought of having either the councilors on the other side (Coun. Watson and Donoghue) or the other six members follow the path I have followed. I do want to say to one of the councilors on the other side that if he intended any inference that I would telephone the Park Department, I am not of his stature and I don't do any telephoning as he does; and I don't say that from hearsay from any other man, because I heard the councilor on the other side (Coun. Watson) a week ago today telephone to the Mayor's office informing the Mayor's office that everything went through O. K.

Coun. WATSON—I did.

Coun. MORIARTY—So far as any inference he may have intended to the effect that I would telephone to the Park Department or to any other department in regard to our proceedings in this Council, no such insinuation strikes me. I am not here to make any apologies for the Park Department or any other department, but if I understand my duties—and I think I do—every request that has been sent to this Park Department has been sent to the Mayor, for the Mayor to request the department to do certain things. Now, if we want to criticize, we may criticize two departments. We may criticize the Park Department and we may criticize the Mayor's office. And I don't mean this administration, because up to the present time I don't believe, since the present Mayor has been sitting, that any such request has gone through. But I do believe that when an order goes through this body requesting the Park Department to furnish certain information or to do certain things, through his Honor the Mayor, it is up to the Mayor's office, that after a certain period of time if no action is taken through the Mayor's office, it is the Mayor's office that is responsible for not having the heads of departments give the Council the desired information. I again say that I believe it shows negligence on our individual part if we do not follow up matters and if answers do not come back here to orders that we pass, that it is then time for us to get after the things personally, and if nothing is done to get up on this floor and criticize. I have no criticism to make of Coun. Donoghue for introducing the order; I have no thought of criticizing Coun. Watson for criticizing the Park Department, or Coun. Gilbody or anybody else, because I have criticized heads of departments myself during my tenure of office, and I expect to do so again, not only the Park Department but other departments. But when insinuations seem to be made that I am a man who would call up the Park Department or any other department by telephone, and tell them what has happened here, I wish to say that I never was a copper and I never expect to be a copper in my life, carrying information. There is no head of a department

or any member of this Council who can say that I have ever carried the action of the Council or of any individual man in any such way. I have never telephoned the action of the Council, not even to the Mayor's office, whether I was in or whether I was out. Unfortunately, I have always been out, and am out in the present time. I was out under the last administration and am out under the new administration. I do not give any information there and do not and have not given any to heads of departments, and do not intend to do so. So if the remark was made as applying to me, I want to stamp it as false right away. It rightfully belongs to those who do carry stories to heads of departments.

Coun. WATSON—Mr. President, small things for grown men to talk about, but oftentimes we get childish, and I am prone to do it myself. But I have made no reference to the gentleman opposite (Coun. Moriarty) about telephoning. He came back at me with his warm remarks about telephoning to the Mayor's office that everything had gone on all right. I wonder if he is peeved because I beat him to it, because I called up the Mayor's office and said that everything was beautiful today. He said, "I know it," another member telephoned me a minute ago." I don't know who it was. I don't say that it was the gentleman opposite. But he uses the telephone as much as anybody. Now, about being a copper—

President BRICKLEY—The Council will come to order. I think we have gone far enough on this matter.

Coun. WATSON—May I continue, please, Mr. President?

President BRICKLEY—We are discussing an order that has been introduced here. You may know more about parliamentary procedure than I do, but I think we have gone far enough with these sarcastic remarks. I think if we stick right to business we will get along better.

Coun. WATSON—Mr. President, may I have the courtesy extended to me of finishing my few remarks, or not?

President BRICKLEY—You may certainly continue, if you stick to the order, but I don't think you should go into personalities.

Coun. WATSON—Mr. President, if I have said anything of a personal nature, I will gladly withdraw it. But I distinctly recall that in my first statement concerning telephone calls I mentioned no one's name. Another member has taken the floor and has mentioned me as doing a certain thing, and has insinuated that I was acting improperly. The time for the Chair to bring the gavel down in regard to personalities was then, not now. I will gladly yield.

Coun. MORIARTY—Mr. President, I feel that it isn't anything personal when you have got the goods, but when anybody leaves the inference that the other eight members are acting improperly, just as an insinuation, that is an entirely different thing. But when you can come out with the goods I don't think there is anything personal in that. And when I get up here and state a fact and a member takes the floor and comes back with another insinuation in regard to another member, without stating who he is, well, if I was as close to the Mayor's office as he is, I might find out who the other member was.

Coun. FORD—Mr. President, I move the previous question.

President BRICKLEY—The question is on suspension of the rule.

Coun. WATSON—Mr. President, I ask the courtesy of at least an opportunity to reply to the second last gentleman's remarks.

President BRICKLEY—Granted.

Coun. WATSON—Mr. President, I admit that I am in close. I admit it, and I don't blame others for trying to get in close. I didn't mention anything in my original remarks about any member of this body telephoning. I said distinctly that before five o'clock the telephone, 4066 Haymarket, would ring, and the chairman would be called on the phone and told by somebody that Jerry Watson, Gilbody, Hagan and Donoghue had in a way tampered with the Park Commission, making no reference whatsoever to any member of this body. Therefore, I am inclined to think that if the shoe fits he may wear it.

Coun. HAGAN—Let me say that I was not the other member.

The rule was suspended and the order was passed.

REINSTATEMENT OF FRED L. CARROLL.

Coun. WATSON offered the following:

Resolved, That the City Council of the City of Boston favors the enactment of legislation to authorize the reinstatement of Fred L. Carroll in the Boston Fire Department.

Passed under a suspension of the rules.

SIDEWALK ORDER.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along both sides of St. John street, from Centre street to Rockview street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

PENSION TO ADELIN F. D. ELKINS.

Coun. FORD offered an order—That chapter 167, Acts of 1922, entitled "An Act Authorizing the County of Suffolk to pension Adeline F. D. Elkins," be and the same hereby is accepted.

Coun. FORD—Mr. President, I move a suspension of the rule on that matter. It should properly have come in before the recess, but I did not get it drawn. This lady has worked for thirty years in Mr. Campbell's office, in the Courthouse, and wants to be retired. We have already gone on record as favoring the legislation. If there are any questions to be asked by members of the Council, I shall be glad to answer them.

(The order was read for information of Coun. Watson.)

Coun. WATSON—What is her present salary?

Coun. FORD—I think \$1,350 or \$1,300. It is not a large sum, as far as the amount is concerned. It may be more than that, I am not quite sure. I know she has been there so long that she now has a desire to retire.

Coun. WATSON—Mr. President, I would like to see some action taken in regard to employees who are retired on fairly good salaries, to the effect that they shall not go to work outside. I think something should be done to prevent that sort of thing. They immediately take a job from somebody who needs it more than they do. But I suppose we cannot help that.

The order was passed under suspension of the rules.

TAKING OF DOCKING FACILITIES.

Coun. DONOGHUE offered an order—That his Honor the Mayor be requested to consider the advisability of taking the necessary steps with a view to taking over all docking facilities along the waterfront of the City of Boston.

Coun. DONOGHUE—Mr. President, I move a suspension of the rule and passage of the resolution. I merely want to say in connection with this matter that we have heard a great deal of discussion recently, particularly during the last mayoralty campaign, relative to increasing the standing of Boston as a commercial port. We have heard a great deal about its being a day nearer Europe than New York and also a day farther away from inland cities than almost any other city in the United States. As far as the water commerce of Boston is concerned, I personally feel that until such time as the docking facilities, the docks and wharves along the waterfront, are under municipal ownership we will not be able to compete with other cities such as New York and Baltimore, which seem to have got a lead on the City of Boston as far as increasing their commerce is concerned. I felt that this resolution I introduced might start the ball rolling. I realize that to carry it out will cost a tremendous amount of money figured in dollars and cents, somewhere in the neighborhood of \$50,000,000 to \$70,000,000, if the City of Boston were to immediately take over all the docking facilities along our waterfront; but I feel that in the end it would be a much better way of handling the matter than at present and would tend to draw commerce to our ports, if concerns which use ships

going from one side of the Atlantic Ocean to the other knew that they could come in here and dock at municipally owned docks, where they would not be charged exorbitant prices for docking. We would then be in a better position to compete with the other cities along the waterfront. Until the time when some such action is taken, I feel that discussions about differentials and other matters that we have heard discussed recently, talk about our being a day nearer to Europe, and so on, are not going to avail us anything. Until such time as we offer to the shippers and the owners of steamships plying between foreign ports and American ports at least equal advantages with those that are offered by other cities along the waterfront, we are not going to be able to get the commerce that rightfully belongs to Boston because, as I said before, the private docks now owned by private interests charge so much for docking that those who want to come to Boston are prohibited from doing so by the docking costs, added to their other costs. So I think this proposition must at some time be taken up, and I believe that the time will come when the City of Boston will own and control all the docks along the waterfront. I ask for a suspension of the rules.

Coun. HAGAN—Mr. President, it appears to me that the object of the order the gentleman has offered is a very worthy one, but I am afraid that it is an error of judgment to ask us to act on it with such haste as would be involved in a suspension of the rule and passage at once, without further thought and consideration. I agree with the thought that if Boston owned its waterfront it would be to the advantage and benefit of Boston and its citizens commercially, but I am not sure that Boston would have any legal right to confiscate the waterfront property from private ownership. I do not venture this as a prophecy, but it does seem to me that before acting too hastily we should at least get the opinion of the Law Department in order to determine whether Boston has any legal right to confiscate or take by right of eminent domain the wharf property. If we have such right, I shall be glad to join with the gentleman; but I don't want to act hastily or in an ill-advised way in this matter. Again, the gentleman knows nothing about the cost. Neither do I. This may cost \$25,000,000, or it may cost \$125,000,000. The cost of anything undertaken by Boston should at least be considered before action is had. So, looking at the matter from the broad standpoint, considering the legal question and also the cost question, I am opposed to suspension of the rule or the passage of the order till we have consulted with the Law Department and know a little more about the matter than we do at the present time. This is a mighty important, mighty big problem, and while I think it is an extremely worthy one, as I said at the outset, and while it is one that I would say off-hand that I would favor, it may be that conditions would not permit of such action being taken at the present moment. I don't know what the conditions may be; the gentleman, I understand, does not know. Nobody knows. Let us find out where we are and keep our feet on the ground until we do.

Coun. WATSON—Mr. President, it is unfortunate that the gentleman did not understand the resolution as it was read. He may have thought he understood it, but when he refers to the danger of expense and illegal action in connection with the matter, that is unbecome. I don't see that those questions even suggest themselves with regard to the order as introduced.

Coun. HAGAN—Mr. President, I may have misunderstood the order.

Coun. WATSON—It is a resolution to the effect that his Honor the Mayor consider the advisability of doing this. We are not going to tie up \$70,000,000 in thirty seconds here. I think the thought is an excellent one, and I think, inasmuch as there is no idea of tying up the city's funds, inasmuch as it merely asks the Mayor to consider the advisability of this action, we ought to move rapidly. It merely asks that the Mayor consider the advisability of doing so. Perhaps he has already considered it; perhaps we are behind him. I don't know. I have not heard anything concerning it, but I would like to have something done along the line suggested which will tend to encourage the use of our port. As the resolution reads in the way it does, it seems to me that we should act upon it today. This is not a matter that requires the presence of the Law Department down here. I think Coun. Hagan agrees with me, and I think he will withdraw his motion.

Coun. HAGAN—Mr. President, as I read the resolution I see that it does not commit the City of Boston or the city government to anything. It merely asks the Mayor to consider the advisability of it. If I had known that, if I had paid proper attention when the paper was read, I would have made no objection to action at this time.

Coun. DONOGHUE—Mr. President, I am glad that the gentleman acknowledges that the paper is drawn properly. I did not want to enter into any controversy over it. I felt that we were not in a position to take any definite action relative to the proposition, and this merely asks his Honor the Mayor to consider the advisability of action in the premises. My thought was that the Mayor is certainly as well versed as if not better versed than any member of the Council in this matter. If in his judgment action should be taken immediately he will undoubtedly so recommend. In fact, if he considers it advisable he will undoubtedly act anyway, whether we pass the resolution or not.

The rule was suspended and the resolution was passed.

ABANDONMENT OF RAILROAD YARD.

Coun. DONOGHUE offered an order—That his Honor the Mayor be requested to consider the advisability of taking whatever steps are necessary with a view of having the Boston & Albany Railroad abandon the present freight yard, located between Exeter street and Massachusetts avenue, along Boylston street, so that this property may be used for business purposes.

Coun. DONOGHUE—Mr. President, I would also move a suspension of the rule on this order, because I think it is also a very worthy order and one that should receive the attention of the present Mayor of the City of Boston. It has always seemed to me, looking at the situation there on Exeter and Boylston streets, alongside the Hotel Lenox, that we had there a vast stretch of fine land, practically in the heart of the new business district, which will be right at the foot of the new Stuart street, which we have heard so much about. I think that that property ought to be used for business purposes rather than remaining as an eyesore, simply continuing to be used as it is being used at present by the Boston & Albany Railroad as a freight yard. I think that the Boston & Albany Railroad could very well, from a civic standpoint and from the standpoint of pride in the City of Boston, whether we have the right politically to compel them to do so or not, agree to move their freight yards farther out from the center of the City of Boston. I think it is high time that those men in control of large, industrial, manufacturing and railroad activities in our community, should co-operate in the present agitation that is going on for the improvement of the City of Boston along industrial, commercial and financial lines. I think they could do no better than to interest themselves in the things that they know the citizens of Boston are interested in. I believe that the stockholders of the Boston & Albany Railroad would confer a very great favor from a civic point of view upon the residents of the City of Boston if they were to remove that present freight yard from its present location. They could very easily move it farther out and get just as much service from the standpoint of the railroad as they can get where it is located at the present time. I don't want to enter into discussion of the question whether or not we have a legal right, under eminent domain or otherwise, to confiscate the property of private interests. I am not agitating or favoring any such proposition. But I do believe there should be co-operation between private individuals on the one hand and the authorities of the City of Boston on the other hand, in all such enterprises as this, and I hope the rule will be suspended and that the order will pass.

The rule was suspended and the order was passed.

ROAD RACE, CATHEDRAL A. C.

Coun. DONOGHUE offered an order—That the Street Commissioners be requested to close to vehicular traffic on April 8, 1922, between 2 and 4.30 o'clock p. m., Union Park street, between Harrison avenue and the estate No. 75 on said street on the occasion of the Cathedral road race. Passed under a suspension of the rule.

UNFINISHED BUSINESS.

The Council took up unfinished business, viz.:

1. Action on appointments submitted by the Mayor March 13, 1922, viz.:

Richard J. Devine, William Doonan, Andrew J. Dowd, Michael S. Drew and Charles M. Winters to be Constables of the City of Boston.

The appointments were confirmed, yeas 9.

2. Ordered, That the Board of Street Commissioners be authorized to sell at public auction at a price not less than twenty-five hundred (2,500) dollars the property at the corner of B and Athens streets, South Boston district, formerly used as a fire station, the proceeds to be credited to sales of city property.

On March 6, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was read a second time and again passed, yeas 8, nays (Coun. Watson) 1.

3. Ordered, That the sum of \$750,000 be and hereby is appropriated for Columbus Park Improvements, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor bonds or certificates of indebtedness of the city to said amount.

On March 6, 1922, the foregoing order was read once and passed, yeas 9.

The order was read a second time and again passed, yeas 9.

PRESENCE OF PARK COMMISSIONERS DESIRED.

Coun. GILBODY—Mr. President, I would offer a motion to the effect that we invite, request or demand the presence of the Park Commissioners before this body at our next meeting, with complete records on every request that has been made for the changing of the name of a park in honor of a World War hero.

President BRICKLEY—Before the Executive Committee?

Coun. GILBODY—Before the full Council, Mr. President. I ask a suspension of the rule that the motion may be acted upon at this time.

President BRICKLEY—I think it had better be before the Executive Committee.

Coun. GILBODY—Well, Mr. President, I will agree to that.

Coun. WATSON—And, Mr. President, I would like to add that we will also wish to ask them in regard to the matter that Coun. Hagan has introduced an order about today.

President BRICKLEY—We can ask about that at the same time.

The motion was amended by inserting "the Executive Committee" in place of "this body," and as amended was carried.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.30 p. m., on motion of Coun. FORD, to meet on Monday, March 27, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, March 27, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. William H. Burns, 12 Carmel street, Roxbury, to the position of Constable of the City of Boston.
2. Charles J. Whitney, to the position of Constable of the City of Boston.
3. Daniel Patrick O'Connor, 12 Thurston street, Ward 1, to the position of Constable of the City of Boston.
4. Abraham C. Rome, 19 Myrtle street, Boston, to the position of Constable of the City of Boston.
5. Bernard Henry Magee, 8 Sumner place, Ward 13, to the position of Constable of the City of Boston.
6. Thomas J. Killian, 6 Kingsdale street, Dorchester, to the position of Constable of the City of Boston.
7. Morris Mindick, 17 Sparhawk street, Brighton, to be a Weigher of Beef.
8. Charles H. Harris, 388 Massachusetts avenue, Lexington, to be a Weigher of Goods.
9. Francis M. Campbell, 38 Harvest street, Dorchester, to be a Weigher of Goods, Weigher of Coal and Weigher of Boilers and Heavy Machinery.
10. Martin J. Maguire, 42 Granger street, Dorchester, to be a Weigher of Coal.
Laid over under the law.

PURCHASE OF CITY LAND.

The following was received:

City of Boston,

Office of the Mayor, March 27, 1922.

To the City Council:

Gentlemen,—Mary M. Brady desires to purchase a parcel of land containing about 158 square feet on Washington street, Forest Hills, which was taken from her by the city in 1917 as part of the site for the West Roxbury Courthouse. The city paid \$500 for this strip of land.

I am transmitting herewith a communication from the Superintendent of Public Buildings, stating that the property is no longer required for public purposes. I therefore recommend the passage of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
March 27, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I wish to advise you that in 1917 the Board of Street Commissioners took by right of eminent domain certain property at the corner of Tower and Washington streets, Forest Hills, for a proposed site of the West Roxbury Courthouse.

Since that time a new site has been procured and the building is being erected, with the result that the city has no further use

for the property owned by them at the corner of Tower and Washington streets, Forest Hills.

Respectfully yours,

FRED J. KNEELAND,

Superintendent of Public Buildings.

Ordered, That his Honor the Mayor be and hereby is authorized in the name and behalf of the city, for a price not less than \$500, and in form satisfactory to the Law Department, to convey to Mary M. Brady a certain strip of land bounded northwest by Washington street, ten and 35/100 feet; north by other land of said Brady, thirty-two and 52/100 feet; and south by land of the City of Boston (Stony brook), thirty-seven and 33/100 feet, containing one hundred fifty-eight square feet, more or less; said parcel being shown on a plan marked "City of Boston, Washington Street, Tower Street, West Roxbury, January 26, 1917, F. O. Whitney, Chief Engineer, Street Laying-Out Department," and on file in office of said department.

Referred to the Executive Committee.

APPROPRIATIONS FOR PLAYGROUNDS.

The following was received:

City of Boston,

Office of the Mayor, March 25, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith an order covering appropriations for the following:

Christopher Gibson Playground, Improvements	\$50,000
Eagle Hill Playground, Improvements.....	50,000
Christopher J. Lee Playground, Improvements	75,000
North End Park, Improvements.....	75,000
Allston Playground, Improvements.....	25,000

All of these improvements are very much needed, and in order that the playgrounds may be in condition for use this summer I respectfully recommend the immediate passage of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$275,000 be appropriated to be expended by the Park Commissioners for the following, and that to meet said appropriations the City Treasurer be and hereby is authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount:

Christopher Gibson Playground, Improvements	\$50,000
Eagle Hill Playground, Improvements.....	50,000
Christopher J. Lee Playground, Improvements	75,000
North End Park, Improvements.....	75,000
Allston Playground, Improvements.....	25,000

Referred to the Committee on Finance.

RESCISSION OF GYMNASIUM ORDER, SOUTH BOSTON.

The following was received:

City of Boston,

Office of the Mayor, March 27, 1922.

To the City Council:

Gentlemen,—I beg to submit herewith for reconsideration by your honorable body orders providing for the rescinding of the order passed August 22, 1921, and one passed January 31, 1922, authorizing the purchase of a site and erection of building for gymnasium in South Boston.

As stated in a previous message I believe other improvements in South Boston to be more important and of greater benefit to a larger number of persons. I therefore re-

spectfully recommend the adoption of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That so much of the loan order authorized August 22, 1921, for the purchase of a site and for the erection of building for gymnasium in South Boston, as has not been issued, amounting to \$150,000, be and the same is hereby rescinded.

Ordered, That the loan order for \$118,000 authorized January 31, 1922, for the purchase of a site and for the erection of building for gymnasium in South Boston, be and the same is hereby rescinded.

Referred to the Committee on Finance.

SALARY OF SUPERINTENDENT OF MARKETS.

The following was received:

City of Boston,
Office of the Mayor, March 27, 1922.
To the City Council:

Gentlemen,—The added labors incident to the operation of the open-air markets, which properly conducted should be of inestimable value to the public at large, necessitates such additional labors as would make it desirable for the city to pay a salary to the Superintendent of Markets commensurate with the labors and responsibilities of this office. I accordingly recommend the passage of the accompanying ordinance.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston.
In the Year Nineteen Hundred and Twenty-two.
An Ordinance Concerning the Salary of the Superintendent of Markets.
Be it ordained by the City Council of Boston, as follows:

Section 5, chapter 3, of the Revised Ordinances of 1914 is hereby amended in the clause establishing the salary of the Superintendent of Markets by striking out the words "three thousand" and inserting in place thereof the words "four thousand."

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Charles H. Arnold, for compensation for injuries caused by being knocked down by a patrol wagon.

Caroline Demling, for compensation for damages by water at 12 Cherokee street.

Bridget Egan, for compensation for injuries caused by a fall on Tremont street, in front of the Comins Schoolhouse.

Mary C. Fetherston, for compensation for injuries caused by a policeman's horse stepping on her foot.

Frederick L. Haley, to be paid for a coat stolen from him at the City Hospital.

Dora Katzman, for compensation for injuries caused by a fall on sidewalk at 109 Green street.

Rose E. Oldfield, for compensation for injuries received from a fall at 20 Charlesgate West.

Angie Pesatura, for compensation for injuries received on the East Boston Ferry.

W. J. Tavender, to be paid for material which he furnished the Penal Institutions Department in 1915.

Michael J. Walton, for compensation for injuries received and for clothing damaged by a fall on Franklin street, Brighton.

Shafran Realty Company, to be reimbursed for expense incurred for damages caused by defect in sewer pipe.

Grace E. Metcalf, for compensation for injuries caused by fall on defective plank walk in Public Garden.

Executive.

Norumbega Woman's Club, that roller skating on sidewalks be prohibited.

Major P. J. Grady Camp No. 3, U. S. W. V., to be given a lease of the Old Armory Hall in East Boston.

Petitions for permits for children under 15 years of age to appear at public places of amusement, as follows:

Mary Campbell *et al.*, at Jordan Hall, on May 11.

Crown of George Dewey Liberty Lodge, at Peabody Playhouse, on April 26.

Henrietta Fetzer, at Huntington Chambers Hall, on April 17.

Ethel F. Hawkins, at Jordan Hall, on April 22.

Ruth M. McShane, at South Boston Municipal Building Hall, on May 26.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for twenty-six newsboys and five vendors—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

APPROVAL OF APPOINTMENT.

Notice was received from the Civil Service Commission of approval of appointment of Frank F. Rock as Superintendent of Supplies.
Placed on file.

APPOINTMENT OF DEPUTY ASSESSOR.

Notice was received by the City Clerk from the Mayor of the appointment of Edward E. McGrath as temporary deputy assessor.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing on petition of the Boston Elevated Railway Company for changes in elevated structure on Washington street, near Forest Hills, said hearing to be held April 5.

Placed on file.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Anton H. Roth.

Approved by the City Council.

CLERK HIRE.

Notice was received from the Register of Deeds, in accordance with law, that certain persons had been employed in his office from February 20 to March 27, and that work had been performed to the amount of \$7,926.68.

Approved and ordered paid.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of March, 1922.

Report accepted; order passed.

VIADUCT OVER BOSTON & ALBANY
YARD.

Coun. WATSON offered an order—That the proper department be requested, through his Honor the Mayor, to send to the City Council an estimate of the cost of building a viaduct from Huntington avenue, corner of Exeter street, across the yard of the Boston & Albany Railroad, to either the corner of Fairfield or Gloucester street, giving a separate estimate on both locations.

Coun. WATSON—Mr. President, I think in justice to my colleague on the right (Coun. Donoghue) I should explain the purpose of this order, in view of the fact that it is somewhat in conflict with an order introduced by him at the last meeting and passed by this Council concerning the abandonment of the Albany yards at Exeter street, Huntington avenue and Boylston street. This proposition that I have in mind in no way interferes with his proposition, because if this viaduct with his proposition, because if this Albany changing the location of its yard, the viaduct could still be retained as a public highway. This matter upon which I have asked for information—a viaduct from the junction of Exeter street and Huntington avenue across the Albany Railroad to Gloucester or Fairfield street—is not a new thought. Many years ago, in my early days in this body, I took the matter up with the chairman of the Planning Board, Mr. Cram, with reference to a viaduct of this nature. He was quite enthusiastic over the proposition, but for some reason or other nothing ever came of it. In fact, I did not introduce the order. At that time he told me that he thought the Planning Board would take the matter up and have it in their report. So I have had this in mind for a long time, and it is more important now than ever. The junction of Exeter street and Huntington avenue is directly opposite Stuart street, which is to be laid out, and Stuart street, if finally completed, will extend down to Eliot. The widening of Eliot through to Kneeland and the widening of Kneeland will then give a thoroughfare from the South Station to Huntington avenue, which means that at that time traffic will undoubtedly increase, and it will mean more congestion on Huntington avenue, a great deal more congestion at the very congested corner of Huntington and Massachusetts avenues, and further congestion at the corner of Boylston street and Massachusetts avenue, because no doubt, with the laying out of Stuart street and the widening of Eliot and Kneeland streets to connect with the new Stuart street, it will mean a new thoroughfare and an enormous traffic from the north of Boston to the south. Atlantic avenue will become a very busy thoroughfare, and that will remove the congestion from Tremont and Washington streets that now comes from the north and south. Certainly unless something is done with the increase in automobile and truck traffic, pleasure vehicles and pedestrians, I don't know what is going to happen to the heart of Boston, unless some way of relieving the congestion is brought about. I have had prepared for the Planning Board plans showing what might be considered my dream plus the thought of Mr. Cram. But I believe we will have to do something in a big way. Stuart street, as it will be laid out, will mean something in the way of an improvement, but it will be only partial. I was not in favor of the Stuart street widening or laying out, not because I was opposed to Stuart street as Stuart street, but because I thought the city was not properly safeguarded by the bill as drawn, and the Council practically unanimously tried to compel them to enter into something in the way of an agreement which would prevent the city paying too large a share of the cost of extension. Stuart street is going to be of some benefit, but something else has also got to be done. You cannot expand the body of a bottle and leave the neck the same size, because the capacity of the bottle will be too great for the neck and it will be impossible for the traffic to flow

through the neck of the bottle without its being expanded. Unless something is done to relieve that situation, it will result in further tremendous congestion. It is so with this Stuart street extension. I believe this is one way out of it, one way to relieve congestion through the heart of the city, and a way to relieve congestion at two points that are already over-congested, the corner of Massachusetts avenue and Boylston street and Huntington avenue and Massachusetts avenue. Everybody who is acquainted with those localities knows that, taking the twenty-four hours of the day, there is no greater congestion at any point in Boston than at the points I have mentioned—Boylston street and Massachusetts avenue and Huntington avenue and Massachusetts avenue. So this is the plan and the thought I have, to be carried into execution by extending a viaduct from the vicinity of Exeter street across the track almost direct to Gloucester street, because that will not require raising the grade. The viaduct could be made shorter by extending across the yards to Fairfield street, but it would result in a grade that would be a drawback to some extent. It would mean that the viaduct would be higher than Boylston street at that point and therefore higher than Fairfield street. Consequently it would not be practical. It is about 1,300 feet or 1,400 feet from Exeter street to Gloucester street across the yard in a direct line. The expense may look large, when we find out what it is going to be, but no real benefit is ever brought about without the expenditure of some money, and the greater benefit, as a rule, the larger the expenditure of funds. I have talked with men who know Boston perhaps better than I do from a commercial standpoint and from the standpoint of traffic, and they tell me that in ten years from now, with the increase in automobiles and in foot traffic, the heart of Boston will be one great big solid mass, almost, of moving individuals and vehicles. I have offered this suggestion believing that some good will come of it. Furthermore, if this proposed viaduct should ever be extended to Gloucester street it will mean this, that instead of adding to the congestion of Boylston street and Massachusetts avenue it will relieve it. Instead of automobiles going up Huntington avenue and across Massachusetts avenue, and instead of their passing at the junction of Boylston street and Massachusetts avenue, they can take this direct route and go across, not going up Boylston street, but continuing along Gloucester street and along by either of four highways to the north or south. There is Newbury street, on the one hand, or they can take Commonwealth avenue, Marlborough or Beacon street. I do believe that, as a layman, without knowing much about traffic questions or the cost of such an improvement, I have produced a thought that may perhaps be of advantage. I certainly trust that it will receive consideration. I have the plans here showing the whole outfit on paper, and it looks even better to me as I examine it on the plan. So far as expense is concerned, you might be obliged to pay the Albany Railroad, as Coun. Lane suggests to me, a small sum for the easement. It would not interfere a particle with their opportunity to store cars there at any hour they desire. All you would have to pay for would be a use of the property that would not interfere with their use, an easement. I believe that this plan would have the co-operation of the Planning Board, and if it receives the support of members of this body and of the Mayor, as I trust it will, at some time in the future my thought, born a few years ago,—although it might have been thought of many years before, but at least brought to light by me,—may result in something that will be a credit to the city, and incidentally of some credit to me if I live to see it. I certainly trust that the rule will be suspended and that the order will be passed at this time.

Coun. HAGAN—Mr. President, I would ask the councilor who introduced the order if the project has been brought to the attention of the City Planning Board as yet.

Coun. WATSON—I have already stated that several years ago I took the matter up with Mr. Cram and that it met with his approval. In fact, he was quite enthusiastic concerning it. I have not taken it up with the present Planning Board, but I have talked with the brains of the Planning Board, and he tells me that it is a great idea. According to Miss Herlihy's idea it is a good proposition, and they have drawn a mighty good plan of it. So they are not opposed to my idea, anyway. My order only calls for a report as to the possible cost. Possibly when we find out the cost we may kick it overboard. But this is only preliminary. It is simply proposed that we get figures, in order to have something at least to act upon, that is all.

The order was passed under suspension of the rule.

IMPROVEMENT OF HOMESTEAD PARK.

Coun. WATSON offered an order—That the Park Department be requested, through his Honor the Mayor, to improve and place in condition for ball field the so-called Homestead Park on Jamaica way.

Passed under a suspension of the rule.

LEAVE OF ABSENCE FOR SPANISH WAR VETERANS.

Coun. WATSON offered an order—That the heads of departments be authorized to grant leave of absence, without loss of pay, to all employees of the city who are members of the Spanish War Veterans' organization for the department convention to be held April 17, 18 and 19.

Passed under a suspension of the rule.

MONEY FOR SOLDIERS' RELIEF.

Coun. GILBODY offered an order—That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of three hundred dollars, said sum to be expended, subject to the approval of the Committee on Soldiers' Relief, by said commissioner in affording immediate relief to persons entitled to aid under chapter 79 of the Revised Laws and acts in amendment thereof and addition thereto.

Referred to the Executive Committee.

SAMUEL WARREN SQUARE.

Coun. GILBODY offered an order—That the open space at the junction of Blue Hill avenue, Canterbury, Wales and Abbot streets be named Samuel Warren square, in memory of said Warren, who fell in action at St. Mihiel during the World War, while serving with the Seventy-Sixth Company, Sixth Division of Marines, and that said location be suitably marked with signs.

Passed under a suspension of the rule.

ORDINANCE CONCERNING SOLICITING IN THE STREETS.

Coun. HAGAN offered the following:

City of Boston.
In the Year Nineteen Hundred and Twenty-Two.
An Ordinance Concerning Soliciting in the Streets.

Be it ordained by the City Council of Boston, as follows:

Whoever, upon any street or sidewalk, in front of any store in the city of Boston, accosts any person and there induces or tries to induce such person to purchase any kind of merchandise, shall be deemed guilty of a mis-

demeanor, and, upon conviction thereof, shall be fined not less than ten dollars, nor more than one hundred dollars; provided, however, that nothing herein shall be construed as prohibiting licensed peddlers from acting within the scope of their license, nor to persons when seeking to sell newspapers or magazines.

Referred to the Committee on Ordinances.

PAYMENT TO MRS. ELLEN O'BRIEN.

Coun. DONOGHUE offered an order—That there be allowed and paid to Mrs. Ellen O'Brien, widow of Maurice O'Brien, the sum of \$2,500 in compensation for the death of her husband, who was killed by Fire Department apparatus August 30, 1917, said amount to be charged to the Reserve Fund.

HEARING ON PORT OF BOSTON.

Coun. DONOGHUE offered an order—That the City Council hold a public hearing on next Monday, April 3, 1922, for the purpose of presenting facts and figures with relation to the development of the Port of Boston.

Coun. DONOGHUE—Mr. President, I would like to have the Council hold a public hearing with relation to the order that we passed last Monday pertaining to the question of devising some means of developing the Port of Boston. It has come to my attention since last Monday that there are some men in this city who are very much interested in developing the port in order to bring commerce to Boston, and when ships once come here, being able to have them pick up cargoes here to take back, without going to New York or Baltimore to pick up freight. Some men in the city have been working on this proposition for some time, and a list of names has been submitted to me of very prominent men in the city and surrounding cities and towns who are very much interested in the development of the port. They seem to think that if the Calf Pasture was properly developed to a large extent there would be a solution of the entire proposition with relation to large ocean liners coming to the Port of Boston rather than stopping off at other cities and towns along the Atlantic seacoast. I have been told that some of the vessels that come in here have to lie outside the three-mile limit sometimes for days, being unable to obtain docking facilities at the Commonwealth Pier. Then, again, when they do obtain docking facilities they have to pay such a high rate for wharfage, the expense is so great, that those who are buying goods in Boston or for Boston would rather have their goods docked free in other ports than to pay the wharfage charges here at Commonwealth Pier. In fact, I have been given to understand that there is an agency on Commonwealth Pier which receives 25 per cent of all wharfage charges for collecting the same for the Commonwealth. It seems to me as though that is simply adding the expense onto the merchants of the City of Boston and reversing conditions as they should be. Those who own vessels or boats should be allowed to come in here, I think, and dock free. When a merchant of Boston pays to have his goods docked in Boston, when he has to pay high wharfage rates, necessarily he must add those charges to the price of his goods, which are ultimately sold to the consumer in Boston. That seems to me all wrong. It seems to me that conditions are the reverse of what they should be. On the other hand, if those who own vessels are not sure when they come to Boston that they can dock almost immediately, they are not going to attempt to come to Boston. If they are going to be held up outside the three-mile limit or outside Boston Light for three or four days, until there are facilities that they can avail themselves of at some of the docks, they are not going to attempt it again. However, I think if we hold a public

hearing next week some of the men who have been working on this proposition for some time, and who claim that it will be possible through dredging to have the largest ocean liners that float come up to Calf Pasture without the aid of a tugboat, will have a chance to be heard, and there may possibly be something in their proposition. I don't believe we have anything to lose by listening to these men, who have devoted considerable time and money to this development as they see it. I think the Council will receive some very valuable information if it sees fit to hold this hearing. I hope the order will pass.

The order was referred to the Executive Committee.

SIDEWALK ORDERS.

President BRICKLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Canterbury street, from Austin street about 212 feet northeasterly, Ward 23, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Newburg street, from Belgrade avenue to Beech street, Ward 23, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones under the provisions of chapter 196 of the Special Acts of 1917.

The orders were passed.

RECESS TAKEN.

The Council voted at 3.26 p. m., on motion of Coun. MORIARTY, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 5.50 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD for the Executive Committee, submitted the following, viz.:

1. Reports on petitions (referred today) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Mary Campbell *et al.*, Jordan Hall, May 11.

Crown of George Dewey Liberty Lodge, Peabody Playhouse, April 26.

Henrietta Fetzter, Huntington Chambers Hall, April 17.

Esther F. Hawkins, Jordan Hall, April 22.

Ruth M. McShane, South Boston Municipal Building Hall, May 26.

Reports severally accepted; permits granted on the usual conditions.

2. Report on order (referred today) for appropriation of \$300 for Soldiers' Relief Department—that the order ought to pass.

Report accepted; order passed.

3. Report on message of Mayor, communication and order (referred today) for sale of city land to Mary M. Brady—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its final reading not less than fourteen days from date.

4. Report on resolution (referred today) relative to public hearing concerning the development of the Port of Boston—recommending passage in the following new draft, viz.:

Ordered, That the Executive Committee of the City Council hold a public hearing on April 6 at two o'clock p. m., for the purpose of presenting facts and figures with relation to the development of the Port of Boston.

Report accepted; order passed.

ORDINANCES.

Coun. HAGAN, for the Committee on Ordinances, submitted the following, viz.:

1. Report on message of Mayor and ordinance (referred today) increasing the salary of the Superintendent of Markets—that the ordinance ought to pass.

Report accepted; ordinance passed.

2. Report on message of Mayor and ordinance (referred March 20) concerning Deputy Commissioner of Public Works—that the ordinance ought to pass.

Report accepted; ordinance passed.

3. Report on message of Mayor and ordinance (referred March 20) concerning contracts made by city—that the ordinance ought not to pass.

Report accepted; ordinance rejected.

LAYING OUT OF STREETS, HYDE PARK.

Coun. FORD offered an order—That the following streets in the Hyde Park district be laid out with edgestones and gravel sidewalks, viz.:

Readville street, from River street to West Milton street; West Milton street, from Sprague street to the Dedham line; and East Milton street from Hyde Park avenue to the Milton line.

Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1, 2 and 3, viz.:

Action on appointments submitted by the Mayor March 20, 1922, viz.:

1. William J. Cargill, William A. Collupy, Joseph A. Delaney, John E. Hart, Joseph F. Kelly, William A. McGunigle and Henry Santosuosso, to be Constables.

2. Frank Gallon and Fred W. Miles, to be Weighers of Goods.

3. Martin J. Maguire, to be a Weigher of Coal.

The question came on confirmation. Committee—Coun. Ford and Watson. Whole number of ballots cast 9, yeas 9, and the appointments were confirmed.

LOAN FOR SEWERAGE WORKS.

President BRICKLEY called up unfinished business, No. 4, viz.:

4. Ordered, That under the provisions of chapter 426 of the Acts of 1897, as amended by chapter 204 of the Acts of 1908, the sum of \$800,000 be and hereby is appropriated to be expended under the direction of the Commissioner of Public Works for sewerage works, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 13, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

LOAN FOR HIGHWAYS.

President BRICKLEY called up unfinished business, No. 5, viz.:

5. Ordered, That the sum of \$500,000 be and hereby is appropriated for highways,

making of, under the provisions of chapter 393 of the Acts of 1905, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 13, 1922, the foregoing order was read once and passed, yeas 9.

The question came on giving the order its final reading.

Coun. LANE—Mr. President, I move this matter lie on the table, inasmuch as we asked two weeks ago to have some information furnished us as to what highways were proposed to be laid out. We have had no information yet from the Street Commissioners and I think until we get some we ought to lay No. 5 on the table.

The order was assigned to the next meeting.

LOAN FOR REBUILDING BEACON STREET BRIDGE.

President BRICKLEY called up unfinished business, No. 6, viz.:

6. Ordered, That the sum of \$175,000 be appropriated, to be expended by the Commissioner of Public Works, for rebuilding Beacon Street Bridge, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

On March 13, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

LOAN FOR REBUILDING CAMBRIDGE STREET BRIDGE.

President BRICKLEY called up unfinished business, No. 7, viz.:

7. Ordered, That the sum of \$160,000 be appropriated, to be expended by the Commissioner of Public Works, for rebuilding Cambridge Street Bridge, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

On March 13, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

LOAN FOR CHRISTOPHER J. LEE PLAYGROUND.

President BRICKLEY called up unfinished business, No. 8, viz.:

8. Ordered, That the sum of \$100,000 be appropriated for the extension and improvement of the Christopher J. Lee Playground, South Boston, and that to meet said expenditure the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 13, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.59 p. m., on motion of Coun. MORIARTY to meet on Monday, April 3, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 3, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922, viz.:

1. St. Claire E. Hale, 19 Bradlee street, Dorchester, to the position of Constable of the City of Boston.
2. Theodore A. Walker, 92 East Dedham street, Boston, to the position of Constable of the City of Boston.
3. Alphonse Palumbo, 247 Chelsea street, East Boston, to the position of Constable of the City of Boston.
4. Thomas P. Gorey, 46 Union Park street, Boston, to the position of Constable of the City of Boston.
5. David A. Greenberg, 247 Chelsea street, East Boston, to the position of Constable of the City of Boston.
6. Peter A. Caporale, 3 Thacher street, Boston, to the position of Constable of the City of Boston. Laid over under the law.

TEMPORARY LOAN.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a loan order to provide temporarily money to meet the appropriations for the financial year 1922-23, and respectfully recommend the passage of same by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That to provide temporarily money to meet the appropriations for the financial year 1922-23, the City Treasurer issue and sell, at such times and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding fourteen million dollars in the total, in anticipation of the revenue of the current municipal year; that all such notes or certificates of indebtedness be dated the day the money for the same is received, be made payable with the interest thereon within one year of their date from the revenue of the year 1922, and bear interest from their date until the same are made payable at such rate as the City Auditor, the City Treasurer and the Mayor may determine.

Referred to the Executive Committee.

FENS IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, April 1, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the chairman, Board of Park Commissioners, relative to an appropriation for Fens Improvements, and respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, March 30, 1922.
Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—At a meeting of the Board of Park Commissioners held on Thursday, March 30, 1922, it was voted to ask your Honor to request the City Council to appropriate \$50,000 from the income of the Parkman Fund for Fens Improvement, to be expended as follows:

Resurfacing park roadways with permanent pavement, approximately 25,000 square yards.....	\$42,000
Improvement of the railroad bridge at Charlesgate.....	8,000
	<u>\$50,000</u>

Very respectfully yours,
JAMES B. SHEA, Chairman.

P. S. Income from Parkman Fund available April 3, 1922, \$60,083.06.

Ordered, That the sum of \$50,000 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

Fens, Improvements..... \$50,000

Referred to the Committee on Parkman Fund.

VETO—REINSTATEMENT OF F. L. CARROLL.

The following was received:

City of Boston,
Office of the Mayor, March 30, 1922.
To the City Council:

Gentlemen,—I return herewith, without my approval, the resolve passed by your honorable body March 20, favoring legislation for the reinstatement of Fred L. Carroll in the Fire Department.

In view of the accompanying report submitted by the Acting Fire Commissioner there is no justification in reinstating this man.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Fire Department, March 23, 1922.
Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I am in receipt of a memorandum from your office requesting my opinion on the following order passed by the City Council on March 20, 1922:

"Resolved, That the City Council of the City of Boston favors the enactment of legislation to authorize the reinstatement of Fred L. Carroll in the Boston Fire Department."

Below I give the record of Fred L. Carroll as member of this department:

Born: October 5, 1878.
Appointed to the Fire Department: August 4, 1905.
Discharged for cause: November 20, 1912.
Reinstated (special legislation, chapter 240, special Acts of 1916): June 2, 1916.
Resigned: July 21, 1818.
Reinstated: April 22, 1919.
Resigned: July 11, 1919.

Two things to be noted in the above record are the age of Mr. Carroll and the number of times he has been in and out of the department in the past. Mr. Carroll will be forty-four years of age this year and since his original appointment in 1905 has served only nine years, approximately, in the department, whereas other men who came into the department at the same time he did have served seventeen years.

From his record in the department it would appear that Mr. Carroll is of the opinion that regardless of any rules or regulations he can come and go as he pleases. He was discharged for cause in 1912 and had an act passed in 1916 which permitted his reinstatement. He resigned July 21, 1918, stating in his resignation that he had "been called by the Shipping Board," although

I understand that later he enlisted in the navy. He was reinstated April 22, 1919, and resigned two and one half months later "to accept a more lucrative position."

If another act is passed by the Legislature which will permit Mr. Carroll to be reinstated I believe that it will be injurious to the morale of the Fire Department. I believe that when a man has been given the consideration given Mr. Carroll he has been treated fairly enough, and that in filling vacancies the men who are waiting on the civil service list should be given an opportunity for appointment.

Yours very truly,
JOSEPH P. MANNING,
Acting Fire Commissioner.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Samuel L. Berger, for refund of amount of personal tax for 1920, paid twice.

Max Bronstein, for a hearing on claim for damage to automobile caused by a defect in Milford street.

Blanche Congdon, for compensation for injuries caused by a fall on sidewalk on Boston Common, December 9, 1921.

Sarah Corville, for a hearing on claim on account of a defect in highway at 866 Fourth street, on February 8, 1922.

Joseph P. Eccleston, to be paid for a young fruit tree at 1 Roek avenue which was killed by an ash truck.

Edson Manufacturing Corporation, for refund on twenty-five ash tickets.

Anna E. Fitzpatrick, for a hearing on her claim on account of injuries caused by a fall on Bartlett street, Charlestown.

John A. Janse, to be paid for injury to a horse caused by a trench in South street, West Roxbury, opposite No. 1020.

H. S. Lewis, for compensation for damage to his ear when commandeered by a police officer while making an arrest.

Michilena Ligiere, for compensation for injuries received on the East Boston Ferry.

James J. Moynihan, for compensation for damages at 141 and 143 Silver street caused by alleged carelessness of the city in respect to a hydrant in sidewalk in front of said premises.

David W. Muekle, for refund of portion of fee paid for license for sale of gasoline at curb pump at 527 Columbia road.

Augustine Pisano, for compensation for injuries received from tripping over end of drawbridge on Chelsea street.

Annie Slabinsky, for compensation for injuries caused by alleged carelessness of city employees in removing an ash barrel.

M. J. Twohey, for return of money taken from his clothing at the Boston Relief Hospital.

Grace Luey Rodden, for compensation for injuries caused by a defect in highway corner Milk and Washington streets.

Ida Rosengard, for compensation for damages at 88 Winthrop street, Roxbury, by a truck of the Sanitary Service.

Cann's Commissary, for compensation for damage to truck by a team of the Sanitary Service.

A. Kagno, for compensation for damage to sidewalk at 92 Winthrop street, broken by a city ash team.

H. R. Crane & Co., for compensation for damage to horse by a city team.

William A. Ryan, for compensation for damage to clothing caused by fresh paint at City Hall Annex.

Catherine Gilman, for compensation for injuries caused by defect in sidewalk at 164 and 166 Baker street, West Roxbury.

Petitions for compensation for injuries received on ferryboat "Ralph J. Palumbo," as follows: Thomas Borghetti, Gerardo Colussi, Barbara De Santis, Liberato Paduano, Ottino Peretti.

Executive.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

W. R. Whiting, Waverly Hall, April 21.

Jennie May Trainor, Jordan Hall, May 9.

Mary Swan, South Boston Municipal Building, May 25.

Marie Agnes Reardon, South Boston Municipal Building, May 2.

STREET RAILWAY POLICE OFFICERS.

Notice was received from the Boston Elevated Railway that certain persons were no longer employed as street railway police officers.

Placed on file.

TRACK LOCATION.

Notice was received from the Street Commissioners of track location for West End Street Railway Company on Dorchester avenue, 565th location.

Placed on file.

NOTICE OF RESIGNATION.

Notice was received of the resignation of Joseph P. Manning as Acting Fire Commissioner.

Placed on file.

NOTICES OF APPOINTMENTS.

Notices were received of the following appointments to act temporarily, viz.:

William J. Casey, Fire Commissioner.

Thomas F. Sullivan, Transit Commissioner.

Joseph A. Rourke, Transit Commissioner.

Placed on file.

APPOINTMENTS.

Notices were received of the following appointments, viz.:

Melanethon W. Burlen, Listing Board.

Edward J. McManus, Deputy Sealer of Weights and Measures.

Dr. David J. Johnson, Institutions Commissioner.

Neal J. Holland, Assessor.

Placed on file.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of William A. Collupy.

Approved by the Council.

NOTICES OF HEARINGS.

Notices were received from the Street Commissioners of the following applications for keeping and storage of gasoline, viz.:

Irving H. Burrows, 75-87 Harvard avenue, Ward 25, 1,000 gallons.

Everett J. Holmes, 70 and 72 Dudley street, Ward 13, 1,000 gallons.

Thomas Lynch *et al.*, 513-525 Main street, Ward 3, 1,000 gallons.

Peter M. Conley, 6 Dorchester avenue, Ward 9, 1,000 gallons.

Matthew T. Hayden, 5 Sunnymead terrace, Ward 25, 1,000 gallons.

Joseph Burven, 440 Atlantic avenue, Ward 5, 1,000 gallons.

James Rosenfield, 296 Columbus avenue, Ward 7, 1,000 gallons.

James Maden, 2 Brimmer street, Ward 8, 1,000 gallons.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notice was received from the Mayor of the following appointments, viz.

Thomas F. Sullivan, Transit Commissioner.

Louis K. Rourke, Transit Commissioner.

Francis E. Slattery, Transit Commissioner.

John J. Barry, Boston Sanatorium Trustee.

Thomas J. Ball, Budget Commissioner.

William M. McMorro, City Collector.

Edward W. McGlencen, City Register.

Thomas E. Goggin, Election Commissioner.

Patrick H. Graham, Superintendent of Markets.

Henry S. Rowen, City Hospital Trustee.
 Joseph J. Crotty, Board of Appeal.
 Henry P. Leonard, Board of Examiners.
 John J. Walsh, City Planning Board.
 Arthur T. Connolly, Library Trustee.
 James B. Shea, Park Commissioner.
 Thomas C. Dolan, Schoolhouse Commissioner.
 Matthew Cummings, Sinking Funds Commissioner.
 Frederic J. Crosby, Sinking Funds Commissioner.
 Francis Peabody, Statistics Trustee.
 Benedict V. DeBellis, Statistics Trustee.
 Margaret J. Gookin, Overseer of Public Welfare.
 Mrs. Jeremiah J. Hurley, Overseer of Public Welfare.
 Frank Leveroni, Overseer of Public Welfare.
 James H. Stone, Overseer of Public Welfare.
 Placed on file.

CLOSING OF NAVY YARD.

Coun. FORD offered the following:

Whereas, It is the intention of the United States Government to close the Navy Yard at Charlestown;

Whereas, This will cause untold suffering and hardship to twenty-four hundred men and their families and a serious economic loss to our community as a result of forced unemployment;

Resolved, That the City Council of the City of Boston protests against this intended step on the grounds that it is plainly a discrimination against the City of Boston and New England, and will cause a condition of unemployment in this city and its immediate vicinity that cannot be relieved; be it further

Resolved, That a copy of these resolutions be sent to the Massachusetts Representatives in Congress.

Coun. FORD—Mr. President, I have been talking publicly about Boston for some time, trying to show some reasons why the city's economic situation is in the doldrums and that Boston is being discriminated against by those who are in a position which would enable them to remedy a serious situation that exists. The most important problem to be solved today—and this is not merely my declaration, but the Mayor said to us as an assembled body that it was the most serious problem he had to solve—is the problem of unemployment. For the last twenty years, and particularly in the last ten years, Boston has been discriminated against by the powers in control at Washington. Instead of taking care of our interests they have, if not actually opposing our interests, been negligent, almost criminally so. We boast here in Boston that we have the greatest universities in the world. We talk publicly about Boston College, Harvard University, Radcliffe, the Massachusetts Institute of Technology, the New England Conservatory of Music, and other universities and colleges. We boast that we have the greatest drydock in the world, and then sometimes, it seems almost idly, we talk about having the greatest pier in the world; and then we declare how within fifty miles of Boston we have the greatest boot and shoe making industry, the greatest fish products industry and the greatest textile industry. Yet here in the City of Boston at the present time we have 50,000 people unemployed, all due to something. The manufacturers in the surrounding cities and in Boston have waited for the representatives at Washington to do something that would enable them to adjust their business to a peace time basis, but nothing has been done. The tariff bill that was to relieve the situation is still in committee at Washington, and the tax legislation that has been passed has benefited no one except the rich corporations and the manufacturers who were making excess profits. There has been no benefit to the ordinary individual like you and me. By the legislation they are now proposing or intending to pass, which is being promoted by those who have not the interests of New England and Boston at heart, they are trying to strangle New England and Boston, making New England nothing but a playground. The Morgan interests for years have boasted that they would make New England and Boston a playground, cutting it off from the rest of the United States and making it a place for vacationists, and nothing more. As was pointed out at the recent conference in Boston, some of our great public minds, some of our great public men,

men of standing and business acumen, when they have visited Washington have been given about a line or a line and a half in the press. The opinions of some of our biggest men are given hardly any weight there. Unless we stop their putting through for New England what they aim to put through, the St. Lawrence river waterway and canal, a canal so deep that it will allow sea-going vessels to go through to the lake ports, New England will be wholly strangled and its export trade, that we want to build up, developing the port of Boston for that purpose, will be absolutely at an end. There are differential rates with an advantage of 60 cents in favor of Baltimore and 40 cents in favor of Philadelphia, all the result of almost criminal neglect on the part of our representatives at Washington. With all our existing unemployment, with all the deadness in condition at our port, with all these things affording no stimulus to the industries about Boston, they now intend to shut up an institution the closing of which means from an economic standpoint at least a loss of a million dollars a year to the people of the City of Boston, the citizens and the merchants of the city; that means hardship and untold suffering to 2,400 families, including 10,000 or 15,000 people at least. There has been too much discrimination, Mr. President, in favor of the South and West, in favor of Virginian interests, in favor of the Norfolk ship yards and the navy yards of the southern part of our Atlantic seaboard, and it has been at the expense of our Navy Yard. Where we once had 10,000 employees there, we now have 2,400 employees, and it is proposed to shut it up altogether. The story of the "Leviathan" is known to everybody in New England. It did not come to Boston because of the opposing interests that exist at Washington, and we saw it taken away from this city with the men we have sent to Washington, those who pretend that they have power, sitting idly by. Down in Washington they can put through their four-power pact treaties and Senator Lodge can and will boast in the next few days about the tremendous influence he has had for world peace through the passing of the legislation looking to disarmament and to the execution of the four-power pact treaty. But at the same time he has done nothing for New England, but is allowing New England and Boston to starve. They allowed the "Leviathan" to be taken away from Boston. It was intended that that should be so long before Mayor Curley or any of our representatives went to Washington, even though we had bid low. The interests in power said it was to go to Virginia. It was intended that it should go there, and it will go there. There was nothing but deceit practised towards the people of Boston and New England when the agitation, the fake and false agitation, was stirred up, when they pretended that they were doing their utmost, doing their best to send the "Leviathan" to Boston. They intended to sacrifice the City of Boston. Now they intend to shut up the Navy Yard here, while at the same time passing these great treaties, spending their time, Mr. President, in doing things that are of no benefit, or no immediate benefit, to the people of Boston, who want to solve this problem of unemployment; they now criminally neglect Boston and want to shut up the Navy Yard. It is about time that we did something to displace these men who only pretend to represent New England, who make a mere pretence. They live at Washington year in and year out, and then, when they seek the suffrage of the people, they pretend that they have done something for Boston and New England. If the Navy Yard is closed, if the reports are true; these men should be made to pay. We have talked and talked and talked, but nothing has been done. Boston, Massachusetts and New England now have no confidence in those men who pretend to have a lot of influence at Washington, but who do nothing for New England. I say, Mr. President, that if these men cannot do this work, if those in control at Washington cannot help Boston and New England, then Boston, Massachusetts and every state in New England should see that these men are removed and others sent there who can and will apply themselves to the task, properly representing us in public office in the capital. These men in the Navy Yard demand their right to live; Boston demands its right to have proper patronage from Washington and the White House. Let us now determine that if the Navy Yard, the last straw which will break the back of public opinion, is taken away from us, our representatives there ought to and must pay. Mr. President, the City of Boston can voice its opinion on this matter, and

I trust that it will do so. I think it will have some force and effect, and it may be that the publicity given to it and our efforts to preserve this institution which we have had for many years past, and which at present is the means of supporting 2,400 families, may have some result.

The preambles and resolutions were passed.

LAWRENCE C. CHISHOLM SQUARE.

Coun. WALSH offered an order—That the space at the junction of Warren street and Commonwealth avenue be named Lawrence C. Chisholm square, in memory of the aforesaid, who fell in action in the World War, and that signs be set up to designate the same.

Passed under a suspension of the rule.

HARRY FENWICK DITMARS SQUARE.

Coun. WALSH offered an order—That the space at the junction of Commonwealth and Harvard avenues be named Harry Fenwick Ditmars square, in memory of the aforesaid, who died in the service of his country during the World War, and that said space be suitably designated by signs.

Passed under a suspension of the rule.

ROBERT HAYES SQUARE.

Coun. GILBODY offered an order—That the space at the junction of Dorchester and Melville avenues and Parkman street be named Robert Hayes square, in memory of said Hayes, who died in the service of his country during the World War, and that signs be set up to designate said square.

Passed under a suspension of the rule.

COURTHOUSE, DORCHESTER.

Coun. GILBODY offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to submit to the City Council a site or sites for a new courthouse for the Dorchester district.

Passed under a suspension of the rule.

FRANCIS J. KANE SQUARE.

Coun. GILBODY offered an order—That Francis J. Kane square, Bowdoin and Hancock streets, be transferred to the custody of the Park Department, through his Honor the Mayor.

Passed under a suspension of the rule.

PROTEST AGAINST STATE LEGISLATION.

Coun. FORD offered the following:

Whereas, There is pending in the Massachusetts Senate a bill providing for the removal of the mayors of the various cities of the Commonwealth after a hearing before three judges of the Superior Court; and

Whereas, This legislation is a direct attack upon the rights of the people to control their elective offices and repugnant to a democratic form of government, therefore be it

Resolved, That in the opinion of the City Council of the City of Boston such legislation is undesirable in that it confers on a branch of our government powers that our Constitution and Laws never intended should be so conferred, and is a deprivation of powers belonging to the people themselves; be it further

Resolved, That a copy of this resolution be sent to each member of the Massachusetts Senate.

Coun. FORD—Mr. President, I do not have to prove our case here in the City Council or before the people of Boston, that the State House has during the past dozen years—yes, during the past twenty-five years—robbed the government of the City of Boston of its powers, so that it is now practically under the control of those at the State House. We have seen legislation passed that has taken powers away from the Mayor of the City of Boston; we have seen legislation passed

that has diverted our whole form of government in an improper direction. We have always had in the past, and always believed in, three branches of government, and we always intended that those should be preserved for the people. At one time, Mr. President, when one arose to talk about a subject such as this, it was sometimes said that it was done for political purposes or that the idea was to obtain publicity; but, Mr. President, the Legislature of Massachusetts, unless it stops just where it is, will pass legislation that will result in an uprising of the people of the City of Boston. We have talked about it, we have sent up resolutions opposing it, and soon there will be a mighty public sentiment directed against the members of the Legislature and there may be some serious trouble. The minute people believe that their powers are being stolen away from them they will rise *en masse*, and these things make for anarchy and radicalism. We are not pessimists, we are not talking as demagogues talk. We are telling the truth. This particular piece of legislation to which the resolutions refer was directed toward the City of Boston. It makes little difference to me whether it was directed against the City of Boston or any other city, but the result of such legislation is that it tends to take away from the people not what the Legislature at any time allowed them to have but what the people retained for themselves, under the Constitution. The Legislature derives its power from the people, and the people retain for themselves in their Constitution the right to elect and the right to remove their own officers, Mr. President. The Legislature in this case, because of the vapors of some diseased mind or minds, is giving this power to judges of the Superior Court, who do not want the power, Mr. President. The judges of our courts, irrespective of what the Legislature does, would like to keep away from and be uninterfered with by the other branches of our government. But what can they do when these statutes are passed and these laws are spread upon the books? They have to obey, and they have to assume powers that they do not want. The Supreme Court and the Superior Court do not want to interfere with the rights of the people, but they are being forced to do so by a Legislature which, because of some party jealousy, because of some plea directed toward one man—the Mayor of the City of Boston—would, because of their personal feelings, rob the people of their rights, caring nothing about the people or the rights retained by them in the Constitution, throwing everything to the winds because of their desire to vent their spleen upon the Mayor of the City of Boston. Mr. President, where are we going? Whither are we tending? Is it going to come to this, that all the powers of the people are going to be vested in the judges of our courts, who are appointed, not elected by the people? Is that what we are tending to? Are our powers going to be taken away from us and given to those men, who do not even want them, so that we will be hemmed in and the people will have no rights? Mr. President, we are surely tending in that direction, unless the intelligent members of an intelligent Legislature will protect us and protect the people against the insane members who are favoring such legislation. I hope that the resolutions will pass, in order that the people and the Legislature will understand that there is at least one body which will stand up for the people and will help the people to retain the rights they have retained for themselves in their Constitution.

The preambles and resolutions were passed.

RECESS TAKEN.

The Council voted at 3.07 p. m., on motion of Coun. FORD, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 6.21 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. WALSH, for the Executive Committee, submitted the following, viz.:

1. Reports on petitions (referred today) for permits for children under fifteen years of age to appear at various places of amusement, viz.:

Marie Agnes Reardon, South Boston Municipal Building, May 2.
 Mary Swan, South Boston Municipal Building, May 25.
 Jennie May Trainor, Jordan Hall, May 9.
 W. R. Whiting, Jr., Waverly Hall, April 21.
 Reports severally accepted; permits granted on the usual conditions.

2. Report on order and communication (referred March 27) for payment of \$2,500 to Mrs. Ellen O'Brien whose husband was killed by Fire Department apparatus—that the order ought to pass.
 Report accepted; order passed.

3. Report on message of Mayor and order (referred today) for loan of fourteen millions of dollars in anticipation of the taxes for the municipal year—that the order ought to pass.
 Report accepted; order passed, yeas 8, nays 0.

4. Report on communication from Street Commissioners (referred February 27) on notices of hearings on petitions for licenses to store and sell gasoline—that the same be placed on file.
 Report accepted; communication placed on file.

5. Report on communication from Street Commissioners (referred March 13) on notices of hearings on petitions for licenses to store and sell gasoline—that the same be placed on file.
 Report accepted; communication placed on file.

FINANCE.

Coun. LANE, for the Committee on Finance, submitted a report on message of Mayor and order (referred March 27) for various improvements—recommending passage of order in the accompanying new draft, viz.:

Ordered, That the sum of \$200,000 be appropriated to be expended by the Park Commissioners for the following, and that to meet said appropriations the City Treasurer be and hereby is authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Christopher Gibson Playground, Improvements.....	\$50,000
Eagle Hill Playground, Improvements....	50,000
North End Park, Improvements.....	75,000
Allston Playground, Improvements.....	25,000

Report accepted; order passed, yeas 8, nays 0.
 The order will take its final reading not less than fourteen days from date.

ORDINANCES.

Coun. HAGAN, for the Committee on Ordinances, submitted a report on ordinance (referred March 27) relative to soliciting on streets—that no further action is necessary.
 Report accepted; ordinance rejected.

PARKMAN FUND.

Coun. HAGAN, for the Committee on Parkman Fund, submitted a report on message of

Mayor, communication and order (referred today) for appropriation of \$50,000 from income from Parkman Fund for maintenance and improvement of the Common and parks—that the order ought to pass.
 Report accepted; order passed, yeas 8, nays 0.

HIGHWAYS, MAKING OF.

Coun. HAGAN called up No. 6, unfinished business, viz.:

6. Ordered, That the sum of \$500,000 be and hereby is appropriated for highways, making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On March 13, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 8, nays 0.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 to 5, inclusive, viz.:

Action on appointments submitted by the Mayor March 27, 1922, viz.:

1. William H. Burns, Thomas J. Killian, Bernard H. Magee, Daniel P. O'Connor, Abraham C. Rome and Charles J. Whitney, to be Constables.

2. Martin J. Maguire, to be a Weigher of Coal.

3. Francis M. Campbell, to be a Weigher of Goods, a Weigher of Coal and a Weigher of Boilers and Heavy Machinery.

4. Morris Mindick, to be a Weigher of Beef.

5. Charles H. Harris, to be a Weigher of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

SEMI-MONTHLY PAYMENTS, SOLDIERS' RELIEF.

Coun. MORIARTY offered an order—That the Commissioner of Soldiers' Relief be requested, through his Honor the Mayor, to pay relief to soldiers and sailors and their families in the City of Boston twice a month, instead of once a month as is now the custom.

Passed under a suspension of the rule.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.28 p. m., on motion of Coun. MORIARTY, to meet on Monday, April 10, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 10, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1922:

1. Thomas F. Coffey, 34 Havre street, East Boston, to be a Weigher of Goods.
 2. Daniel P. Sheehan, 37 Monument square, Charlestown, to be a Weigher of Goods.
 3. Owen William Duffy, 48 Salem street, Ward 5, to the position of Constable of the City of Boston.
 4. William H. Powderly, 1 Oakland avenue, Ward 12, to the position of Constable of the City of Boston.
 5. Gerald W. Corbett, 19 Monument street, Charlestown, to be a Weigher of Coal and Coke.
- Laid over under the law.

LOAN FOR PLAYGROUND, BALDWIN PLACE.

The following was received:
City of Boston,

Office of the Mayor, April 10, 1922.
To the City Council:

Gentlemen,—The movement for the elimination of disease-breeding tenement property and the creation of health-giving parks in the congested sections of the city, which was inaugurated in 1916 and which was temporarily discontinued during the past four years, is, in my opinion, of such vital importance to the future of our city as to render it impossible to justify failure to pursue this necessary and helpful work.

The policy of creating a small park each year by the elimination of unwholesome tenement property, or the opening up of a city block where congestion is so great as to injure the health of those forced to live within that block, should be continued.

The City Planning Board, after long study, has recommended that the Baldwin place section of Boston is the most congested and unhealthy spot in the city. I conferred with the owners of the property, who set a price of \$76,000 thereon, and informed them that when they were prepared to dispose of the property at its assessed valuation I would recommend its purchase by the city.

I am submitting herewith the offer received from the owners to sell the property for \$56,600, and respectfully recommend the adoption of the accompanying order which provides sufficient money to defray the cost of razing the synagogue and opening up this section for the benefit of mothers and children.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, that the sum of \$70,000 be appropriated to be expended by the Park Commissioners for playground, Baldwin place, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, on the request of the

Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.
Referred to the Committee on Finance.

LICENSING LODGING HOUSES.

The following was received:
City of Boston,

Office of the Mayor, April 10, 1922.

To the City Council:

Gentlemen,—Chapter 59 of the Acts of 1921 authorizes the City Council of a city to establish a fee not exceeding \$2 for licenses for lodging houses. In my opinion it is not unreasonable to charge such a fee in order to partially reimburse the city for the cost of issuing the licenses, and as the license period begins the 1st of May, I respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under the provisions of chapter 59 of the Acts of 1921 the annual fee for licenses for lodging houses be and the same hereby is fixed at two (2) dollars.

Referred to the Executive Committee.

SUITS OF NATIONAL BANKS.

The following was received:
City of Boston,

Office of the Mayor, April 10, 1922.

To the City Council:

Gentlemen,—I beg to submit herewith report of the Corporation Counsel, relative to suits of national banks to recover the taxes paid to the City of Boston since 1917.

The total amount involved is approximately \$7,000,000. I have gone into the matter with care both with the present Corporation Counsel and his predecessor, Mr. Hill. It was the opinion of former Corporation Counsel Hill and also the opinion of Mr. William H. Hitchcock, formerly of the Attorney-General's office, that a compromise should be effected by which, on payment of a sum in excess of two million dollars, the cases would be dropped. I have found it impossible to share the views of either the former Corporation Counsel or the assistant in charge of the work, Mr. Hitchcock, yet, realizing that the time and attention of the Corporation Counsel is, of necessity, taken up largely with routine matters and the amount in this case is so great, I have deemed it advisable to favor the recommendation of the Corporation Counsel for the employment of legal and clerical assistance.

I accordingly recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$50,000 be authorized to be expended for the purpose of meeting charges for the employment of special counsel and for the payment of stenographers' services and all typewriting and printing that may be in any way necessary for the purpose of defending any suit now pending or hereafter instituted against the City of Boston by any national bank or banks for the recovery of taxes paid or to be paid where the claim is made that the tax is illegal because of the provisions of section 5219 of the United States Revised Statutes; and it is further ordered that his Honor the Mayor is hereby authorized to employ such special counsel to act in such case or cases and to represent the city before the Congress of the United States or the Legislature of Massachusetts for the purpose of having made such changes in the present statutes in any way affecting said tax as may be beneficial to the city and its interests. Said sum of \$50,000 to be charged to the Reserve Fund, and all expenditures shall be subject to the written approval of the Mayor and the Corporation Counsel.

RE SUITS OF NATIONAL BANKS TO RECOVER TAXES.

City of Boston,

Law Department, April 5, 1922.

Hon. James M. Curley,

Mayor of Boston:

Honored Sir,—There are now pending against the City of Boston various suits (in the Suffolk Superior and United States District Courts) brought by ten different national banks within the City of Boston to recover taxes assessed by the city against the shares of the stock therein outstanding in the hands of individuals, which tax was paid directly in each instance by the bank. In some instances these suits attempt to recover back taxes collected even as remotely as the year 1917. The total amount involved is over \$7,000,000.

The principle involved in these suits is founded on the assumption of the several plaintiffs that this tax is levied under authority given the several states by section 5219 of the United States Revised Statutes and that the tax levied and collected is, in fact, violative of the provision therein that such "taxation shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens."

The claim of the First National Bank, involving over \$3,500,000, has been heard before a commissioner appointed by the Superior Court of Suffolk County. At the instance of my predecessor in office, Arthur D. Hill, Esq., Mr. William Harold Hitchcock, formerly of the Attorney-General's office, was employed by the Commonwealth to assist Mr. Hill in the defence of this particular suit.

It was Mr. Hill's opinion and the opinion of Mr. Hitchcock also that the City of Boston should accept the compromise offer made by the First National Bank. This compromise calls for a judgment by agreement of \$2,125,000, the same to be entered against the city and to be paid for in the following manner: The City of Boston will at once give its check for its estimated share of this judgment, which is suggested by counsel as being "something like \$500,000," and the balance of the judgment would be represented by the promissory note of the City of Boston, which it is expected would be taken care of by legislation requiring the state and the various cities and towns among which the balance of these taxes were distributed, though collected by the City of Boston, to make adequate contribution.

After reviewing the law in this case and many decisions of our State Supreme Court and of the United States Supreme Court, I am persuaded that we should not accept the compromise offer made in the First National Bank case but should contest this and all other similar cases, even though it is necessary to carry them to the United States Supreme Court. If, perchance, the right of the state to tax shares in national banks owned by individuals is dependent upon section 5219 of the United States Revised Statutes—which I, myself, do not believe—and is restricted by its provisions, then the other question may fairly be raised, namely, is our present method of taxing such bank shares "at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such (our) states"?

If your Honor is of my opinion, namely, that these cases should be contested, then I am obliged to say that the amount of labor involved in the preparation and defence of these suits is necessarily so great as to justify our employing special counsel for the work. The claims of these ten banks represent a multiplicity of suits raising various legal questions, also involving a great deal of statistical investigation. The resources of the Law Department are such that we can adequately handle only the routine matters that come before us. If we are to properly defend these suits we will require the special assistance of counsel who is not only learned in law but has some special training in the field of finance and statistics, and he, in turn, will

require legal and clerical assistance in order to adequately discharge the duties which would be imposed upon him. I therefore recommend the passage of an order for the appropriation of the sum of \$50,000 to meet the expense incident to the conduct of these cases to a final decision in the United States Supreme Court.

Very truly yours,

E. MARK SULLIVAN,
Corporation Counsel.

Referred to the Executive Committee.

MARINE PARK LAND.

The following was received:

City of Boston,

Office of the Mayor, April 10, 1922.

To the Honorable the City Council:

Gentlemen,—I herewith transmit an order which authorizes an exchange of rights in flats and land adjacent to Marine Park in South Boston district and owned partially by the Commonwealth and partially by the City of Boston, which lands and flats are fully described in said order. This matter was called to the attention of the City Council of 1921 by my predecessor in office, but no final action was taken by that body so that the Commonwealth at the present time is unable to accomplish the desired results with these lands and flats.

As the Commonwealth has filled this land for the purpose of commercial use, and if favorable action is taken upon this order it will enable the Public Works Department of the Commonwealth to further carry out the development of the port and add a large amount of taxable real estate, and as without expense the City of Boston is to have certain of its lands filled and Pleasure Bay is to be dredged to a depth satisfactory to the Park Department, I consider the proposed exchange greatly beneficial to the interests of the city and I therefore recommend the passage of the accompanying order.

Yours very truly,

JAMES M. CURLEY, Mayor.

City of Boston, In City Council.

Whereas, The City of Boston by deeds from the executor of and trustee under the will of Benjamin Adams, dated April 30, 1883, recorded with Suffolk Deeds, Lib. 1595, pages 395 and 396, acquired title to certain land, beach and flats on Q street, now Farragut road, in the South Boston district, extending easterly and northerly to low water mark, "to be used for the purposes of a public park," and the said city by a taking recorded with said deeds, Lib. 1597, page 591, took the said land, beach and flats "as and for a public park"; and

Whereas, The Board of Park Commissioners of the City of Boston by the three following acts was authorized to make such excavations and filling and erect and maintain such structures in and over the area of tidewater at or near Dorchester Point as the Board may deem necessary or desirable for the purposes of a public park: Chapter 360 of the Acts of 1885, covering the area which lies southerly of the northerly line of East First street extended easterly to Castle Island and east of the westerly line of Q street, extended southerly into Old Harbor; chapter 427, section 1, of the Acts of 1887, covering the area which lies south of a line drawn parallel to and three hundred (300) feet northerly from the northerly line of East First street extended easterly to Castle Island and easterly of the westerly line of Q street, extended northerly to an intersection with said parallel line and southerly into Old Harbor; and chapter 438 of the Acts of 1889, covering the area which lies east of the westerly line of Q street and extending southerly into Old Harbor and northerly to the southerly line of the Reserve channel as established by the Board of Harbor and Land Commissioners

under chapter 46 of the Resolves of 1886, and south of the said southerly line of the said Reserve channel, Section 2 of said chapter 438 provides that "all lands of the Commonwealth which are occupied or enclosed under the provisions of this act shall be appropriated to and used solely for the purposes of a public park"; and

Whereas, The location of the Reserve channel as established under chapter 46 of the Resolves of 1886 was changed under the authority of chapter 90, Resolves of 1911, leaving a large area of land belonging to the Commonwealth lying between the two locations of the southerly line of the channel adjacent to the said land, beach and flats owned by the City of Boston for a public park, and whereas in order to furnish approaches to and properly develop this area it is necessary to use a portion of the said land, beach and flats which the city owns and was authorized to occupy for a public park; and

Whereas, By agreement between the Department of Public Works of the said Commonwealth and the Mayor and Park and Recreation Commissioners of the City of Boston, the Commonwealth in connection with the filling of the area lying between the old and new locations of the southerly line of the Reserve channel has in addition filled a portion of the flats adjacent to the land of the City of Boston used for a public park with the understanding that a portion of such area should be transferred to the Commonwealth in order to provide proper facilities for reaching and developing the land of the Commonwealth which has been filled; and, further, that the Commonwealth release any interest it may have in and to all land, beach and flats lying between Marine Park and Castle Island and extending southerly from the northerly side of the existing bridge that connects City Point with the said island; and that the Commonwealth agree to perform certain acts in regard to the filling of these flats and making a beach running into Pleasure Bay, and in regard to the location and construction of a street one hundred feet wide, and to restrict a certain area.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city, in accordance with the provisions of chapter 748 of the Acts of 1911, to convey to the Commonwealth of Massachusetts all the rights, title and interest which the City of Boston has in and to the land and flats on the easterly side of Farragut road in the South Boston district, containing approximately forty-nine thousand eight hundred (49,800) square feet of solid land and three hundred eighty-seven thousand one hundred eighty-three (387,183) square feet of flats to be devoted to commercial purposes, and forty-one thousand (41,000) square feet of solid land and one hundred forty-eight thousand eight hundred seventy (148,870) square feet of flats over which the Commonwealth is to construct a street or way to be used in part for commercial purposes, all as shown on a plan made by Henry C. Mildram, real estate engineer, dated February 14, 1921, in exchange for conveyance by the said Commonwealth of all its rights, title and interest in and to the lands and flats lying between Marine Park, as now filled, and Castle Island, and extending from the southerly line of the said land and flats to be released to the Commonwealth southerly into Old Harbor, and the agreement by the Commonwealth that it will complete the filling of the flats from the southerly line of the flats to be released to it to the southerly side of the existing bridge that connects City Point with said island, the material dredged from the harbor making a beach sloping from the southerly side of the said bridge southerly into Pleasure Bay; the beach being made at such slope as the material will naturally assume when placed by a hydraulic dredge; the said Commonwealth further agrees never to erect any building or buildings on the land or flats owned by it lying between Castle Island and

the red line shown on said plan and marked "Restriction line, beyond which on the east side no buildings are to be erected," and within a reasonable time to locate and construct a street or way one hundred feet wide within the premises to be released to it and along the southerly line thereof, extending from East First street easterly to a line riparian ownership, using a strip twenty-three (23) feet wide for the location of two standard gauged railroad tracks to be used for commercial purposes, with branches leading into the areas on the northerly side of said street, the Commonwealth to pave and regulate the portion of said street northerly of the said twenty-three foot strip, and agree that the city reserve the right to develop that portion of said street south of the said strip for park purposes.

Both conveyances and agreements referred to in this order are to be in form satisfactory to the law department.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named:

Claims.

E. M. Baratta, for compensation for damage to motor car by city dump cart No. 801.

F. W. Keylor, to be paid for a garbage pail taken from premises 181 Allston street by a garbage collector.

Emma G. and Helen M. Lawler, for compensation for injuries received on ferryboat "Ralph J. Palumbo."

Edith C. Magrath, to have returned to her money taken from her brother's pockets at the City Hospital.

William A. McNulty, to be paid for an overcoat damaged by an accident which occurred while he was on duty in the Health Department.

Anna F. McTernan, to be reimbursed for expense incurred on account of a defective sewer in front of 176 and 178 Hyde Park avenue.

Ralph Picardi *et al.*, for compensation for damages at 371 Maverick street by a defective sewer.

Prime Tea Company, for a hearing on claim on account of damages by an overhanging tree on Chester street, March 3, 1922.

W. E. Sherman, for compensation for injuries received from a fall on sidewalk in this city.

Mary B. Sullivan, to be paid for damages at 51, 87 and 89 Smith street, by missiles thrown from the playground on said street.

Nicholas Scipione, to be paid for crops destroyed by placing of portable houses by city on land at corner of School street and Ellsworth place, Jamaica Plain.

Executive.

Petition of Peter F. Connors, laborer in Public Works Department, to be retired under the provisions of chapter 765 of Acts of 1914 and amendments thereof.

Petition of William Daley, laborer in Park Department, to be retired under the provisions of chapter 765 of Acts of 1914 and amendments thereof.

Petition of Dorothy R. Richardson for permit for children to appear at hall at 294 Huntington avenue, on the evening of April 29.

Petition of Pauline Marks Harvey for a permit for children to appear at Sarah Greenwood Hall on April 17, 1922.

SIDEWALK ASSESSMENTS.

The Commissioner of Public Works submitted foregoing schedules be and the same are hereby on Euclid street, Ward 21, Arlington street, Ward 26, and Seaver street, Ward 19, and it was

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sum set against their names as their proportionate part of the cost of constructing sidewalks in front of their estates bordering on Euclid street, Ward 21, Arlington street, Ward 26, and Seaver street, Ward 19, and the same ordered to be certified and notice given to the persons as aforesaid.

Passed.

NOTICE OF RESIGNATIONS.

Notice was received from the office of the Mayor of resignation of E. V. B. Parke as City Collector and Herbert A. Wilson as Building Commissioner.

Placed on file.

NOTICE OF APPOINTMENTS.

Notice was received from the office of the Mayor of appointment of Maurice H. Maney as Building Commissioner, E. Mark Sullivan to act temporarily as Building Commissioner, Fred A. Finigan as Election Commissioner, John J. Curley to act temporarily as City Collector, Thomas F. Sullivan as chairman of Transit Commissioners.

Placed on file.

CONSTABLES' BONDS.

The constables' bonds of William J. Cargill and Michael S. Drew, having been approved by the City Treasurer, were received and approved.

PENSION TO WIDOW OF DANIEL T. DINEEN.

Coun. WATSON offered an order—That chapter 195 of the Acts of 1922, entitled "An Act Extending the Provisions of an Act to Authorize the City of Boston to Pension the Widow of Daniel T. Dineen," be and the same hereby is accepted.

Passed.

COMPENSATION TO LOUISE MCGILL.

Coun. FORD offered an order—That under the provisions of chapter 70 of the Acts of 1922, there be allowed and paid to Louise McGill, as compensation for the death of her son, Arthur B. McGill, who was killed during the riot on September 10, 1919, the sum of \$2,500, in weekly payments of \$15; the amount so paid to be charged to the Reserve Fund.

Coun. FORD—Mr. President, that is the same order that we passed before for \$4,000, excepting the amount. The Mayor has fixed a definite sum for these death cases of \$2,500. Inasmuch as we discussed and passed the previous order, I move that the rule be suspended and that this order be passed and sent to the Mayor for his approval.

The rule was suspended and the question came on the passage of the order.

Coun. MORIARTY—Mr. President, I want to say just a word in opposition. I do not wish to go on record as a member of this body as passing the judgment of the body that the value of a life is \$2,500. I think the order that we passed before gave the right to pay any amount up to \$4,000, and I believe that the matter should be acted upon as already passed by the Law Department. I certainly don't want to register my vote as valuing a boy's life at \$2,500.

Coun. FORD—Mr. President, the situation is this: We sent the order to the Mayor providing for \$4,000, and the Mayor would not approve it for \$4,000. But after a conference—and we were all there that day—he decided that he would approve an order for \$2,500. All I know about it personally is that the beneficiaries are perfectly satisfied to accept that sum, and, of course, I am only acting as

an automaton, passing the matter along. The Mayor and the mother, the beneficiary, are in agreement as to the sum. Of course, I would myself like to see the mother get the \$4,000 if it were possible, but I understand that it is not, and I understand that the Mayor is acting on the advice of the Law Department. It being satisfactory to the persons concerned in this form, all I can say is that I shall be glad to see it passed, because I know that the money, the \$15 a week, is needed. I would like to see the order go through, and I don't see how we can expect to pass it, under the circumstances, for any larger amount.

Coun. MORIARTY—As I understand the act, it allows the City of Boston to pay a maximum sum of \$4,000, and I feel that under the order we have already passed there should be a conference between the attorney of the mother and the attorneys of the City of Boston, coming to an agreement, in conference with the Mayor, instead of a specific order being put in here that we value the life of that young boy, who was shot during the police strike, at \$2,500. I don't wish to take the responsibility of voting on a blanket order to the effect that as a body we feel that there is only a responsibility on the part of the city because of the death of that boy of \$2,500.

Coun. FORD—Mr. President, of course we all appreciate the sentiment of Coun. Moriarty. He is absolutely right in what he says. But this sum of \$2,500, because of the circumstances, is perfectly satisfactory to the mother of the boy and to the lawyers who represent her. I talked with them three quarters of an hour ago, and they would really like to see this order go through, because they would like to see something done in the matter at once. I think Coun. Watson is going to follow me, and I think I will leave it to him to explain as to the legal proceedings in the case.

Coun. WATSON—Mr. President, I feel about as the two preceding speakers feel in regard to this matter. I think \$2,500 is a very small sum to place on the life of a boy, man or child. But I know that the ultimatum has gone out from the Mayor's office that \$2,500 is all he will agree to settle cases for out of court. I had a very serious case, where a man was maimed for life, would never walk again, and lies helpless in bed. I thought I could get \$4,000, the limit the law provides, but the Mayor told me very frankly that while there were very many deserving cases of this sort coming up from time to time, where the parties got less than belonged to them, there were also a great many where they got more than belonged to them, because of the large sums that had been paid out in the past. So he said he had put his foot down and decided that \$2,500 would be the limit. I spoke to the parties interested and they said they needed the money badly, and would accept the \$2,500. I know, as Coun. Ford does, that they do need the money badly and that \$2,500 to them now will be almost like a million at a later time. While I would like to see the order passed in its original form, I trust that under the circumstances it will be passed as it has been introduced here today. Under the circumstances, if it had been passed for \$5,000, I would still vote today for the \$2,500.

Coun. MORIARTY—Mr. President, I realize that I am taking up a good deal of time about this matter and that we will not be able to get any more money for this woman. I realize that this mother who has lost her son, if the truth is told by her attorneys, stands in great need of money at the present time, and that if the amount proposed in this order were \$500 she would take it. I realize, again, that there is no legal obligation on the part of the city. I realize that, and I realize that on 75 per cent of the claims that go before the Law Department there is no legal liability on the part of the city. But there are claims that go before the Law Department which have not got as much merit as this one has, that do not deal with such an important matter as the life of a young boy, and the claimants are given more money by the city. When it comes to a life, however, it is proposed that we shall vote that a life is worth \$2,500. I

certainly am going to register my vote in opposition to that, not that I do not want to see the woman get \$2,500, but I don't believe the money is coming to her in the right way. I believe the form this should take is that the Mayor should instruct the Law Department to get in touch with him upon the order that has already been passed, which covers the situation, allowing the city to pay up to \$5,000. They can all get together on that, and a recommendation can then be made.

Coun. WATSON—Mr. President, I do not think that this order places the price of \$2,500 as the value of this young boy's life, and I do feel that if the most interested person living, the boy's mother, is satisfied with \$2,500, we should be sufficiently satisfied to pass the order in this form, especially if the Mayor says that is the limit. I hope that the order as presented will pass.

The order was passed under suspension of the rule.

ROPING OF STREETS FOR MARATHON RACE.

Coun. BRICKLEY offered an order—That the City Messenger be authorized to rope such streets as may be necessary in connection with the Marathon race April 19, 1922.

The expense attending the same to be charged to the appropriation for City Council, G. I. Flags, Ropes and Stakes.

Passed.

NAMING OF PETERSON SQUARE.

Coun. BRICKLEY offered an order—That the junction of Washington and Northampton streets be named John C. Peterson square, in memory of said Peterson, who died in France during the World War, and that said space be suitably marked with signs.

Passed.

NAMING OF MAHONEY SQUARE.

Coun. BRICKLEY offered an order—That the Board of Park Commissioners be requested to change the name of Hyde square to Cornelius J. Mahoney square, in memory of said Mahoney, who died in the World War.

Passed.

REINSTATEMENT OF FRANK J. HOGAN.

Coun. BRICKLEY offered an order—That the City Council favors legislation for the reinstatement of Frank J. Hogan as a member of the Fire Department of the City of Boston.

Passed.

WOODBINE ROAD.

Coun. BRICKLEY offered an order—That the Board of Street Commissioners be requested to accept and lay out as a public street Woodbine road, West Roxbury.

Referred to the Executive Committee.

CONVEYANCE OF LAND TO MARY M. BRADY.

Coun. WATSON—Mr. President, I have to leave at half past three and, if there is no objection, I would like to have No. 2 on the calendar taken up and voted upon at this time.

No. 2 on the calendar, under unfinished business, is as follows:

2. Ordered, That his Honor the Mayor be and hereby is authorized in the name and behalf of the city, for a price not less than \$500, and in form satisfactory to the Law Department, to convey to Mary M. Brady a certain strip of land bounded northwest by Washington street, ten and 35-100 feet, north

by other land of said Brady, thirty-two and 52-100 feet, and south by land of the City of Boston (Stony brook), thirty-seven and 33-100 feet, containing one hundred fifty-eight square feet, more or less, said parcel being shown on a plan marked "City of Boston, Washington Street, Tower street, West Roxbury, January 26, 1917, F. O. Whitney, Chief Engineer, Street Laying-Out Department," and on file in office of said department.

On March 27, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passage, yeas 8, nays 0.

Yeas—Coun. Brickley, Ford, Gilbody, Hagan, Lane, Moriarty, Walsh, Watson—8.
Nays—0.

RECESS TAKEN.

The Council voted, at 2.40 p. m. on motion of Coun. FORD, to take a recess subject to the call of the President.

The Council reassembled, and were called to order by the President at 3.40 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. Ford, for the Executive Committee, submitted the following, viz.:

1. Report on communication from the Mayor and order (referred today) that annual fee for licenses for lodging houses be fixed at \$2—that same ought to pass.

Report accepted; order passed.

2. Report on order (referred today) that Board of Street Commissioners be requested to accept and lay out as a public street Woodbine road, West Roxbury—that the same ought to pass.

Report accepted; order passed.

3. Report on petitions (referred today) for permits for children to appear as follows, viz.:

Dorothy R. Richardson for children to appear at hall at 294 Huntington avenue, evening of April 29.

Pauline Marks Harvey, for children to appear at Sarah Greenwood Hall on April 17.

4. Report on petitions for retirement of William Daley, that the following order be passed, viz.:

That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, William Daley, employed in the labor service of the City of Boston in the Park Department.

Report accepted; said order passed.

5. Report on petition for retirement of Peter F. Connors—that the following order be passed:

That the Retirement Board for laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Peter F. Connors, employed in the labor service of the City of Boston in the Public Works Department.

Report accepted; said order passed.

RETIREMENT OF MARY M. FITZ-SIMMONS.

Coun. FORD offered an order—That the City Council of Boston favors legislation for the retirement of Mary M. Fitzsimmons, an employee of the office of the clerk of the Superior Court, Civil Business, County of Suffolk.

Coun. FORD—Mr. President, I would move a suspension of the rule for the passage of this resolution. Mary M. Fitzsimmons has been a clerk in the office of the Superior Court for twenty-eight years, and the retirement in this case, in accordance with the bill,—like all retirements of this sort—is at the request of the one to be retired.

The order was passed under suspension of the rule.

PLACING OF FIRE ALARM BOX.

Coun. FORD offered an order—That the Fire Commissioner of the City of Boston, through his Honor the Mayor, be requested to place upon the fire alarm box at the corner of East street and Dorchester avenue an alarm bell to warn citizens of the approach of the fire apparatus over East street.

Coun. FORD—Mr. President, the reason for that order is that East street has a sharp decline coming toward Dorchester avenue. There have been several accidents at the corner of East street and Dorchester avenue, and it is felt that if there is an alarm bell placed at the foot of the hill, at the fire alarm box, warning pedestrians coming down the hill, it will prevent a recurrence of such accidents as have already occurred in past years, and that it will be very beneficial to citizens. That is all. I hope the order will pass.

The order was passed under suspension of the rule.

MINORS' LICENSES.

President BRICKLEY submitted petitions of eighteen newsboys and three vendors for licenses, approving same.

Placed on file.

PROPOSED RESCISSION OF SOUTH BOSTON GYMNASIUM ORDER.

Coun. LANE, for the Committee on Finance, submitted a report on the message of his Honor the Mayor (referred March 27) with accompanying orders providing for the rescission of loan order authorized August 22, 1921, for purchase of a site and erection of building for gymnasium in South Boston, amounting to \$150,000, and loan order for \$118,000 authorized January 31, 1922, for the purchase of a site and for the erection of building for gymnasium in South Boston—that the same ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. FORD—Mr. President, when the vote is taken I suggest that it be taken by roll-call.

Coun. LANE—Mr. President, after the report is accepted I shall move that the matter be placed on the table, inasmuch as Coun. Watson is absent today, having been unable to remain longer, and wants to go on record on the matter. I therefore will make that motion.

Coun. MORIARTY—Mr. President, I am going to oppose laying on the table.

Coun. LANE—Mr. President, I move that the order be placed on the table.

The motion to lay on the table was carried, yeas 5, nays 3:

Yeas—Coun. Donohue, Gilbody, Hagan, Lane, Walsh—5.

Nays—Coun. Brickley, Ford, Moriarty—3.

Coun. MORIARTY—Mr. President, I want to say to the members of the Council that we have got to assume that the same right will be extended to other members at other meetings of the Council—that if there is a member absent on any order coming up, whether I am in favor of or against the order, I am going to ask for postponement for the protection of any member of the Council who may be so absent.

Coun. HAGAN—Mr. President, I concur absolutely with the remarks of the gentleman opposite. I think that is as it should be. I am glad that we agree on that point—that any matter in which a member is interested should be postponed until that member is here.

Coun. MORIARTY—Mr. President, I want to say that we have been playing politics with this matter for the last eight weeks, and that if we are also going to play politics by being absent, with the other eight members of the Council who are present today each of them being absent at subsequent meetings, it may be possible that this matter

will be put off for eight weeks more. If everybody else is going to play politics with it, I am going to do so when it comes to a roll call next week. I may walk out and say that I have to do business, and the week after Mr. Ford may do the same thing. The fact is that we have been playing politics on this matter ever since it came in. We now have eight votes here, and it is going to be laid over because one of the members is absent. Because the Mayor says he will not do anything in other districts, the members are going to pass the order. The councillor who is now absent said earlier that we should not be dogs in the manger, but should help other sections. Of course, that is a position they may try to put us in regard to this fight, simply because we are standing by what we think is right and what we are entitled to. I believe in being fair. There is one duty that each and every one of us has. When we go to the people and ask for their votes we tell them how faithful we will be to our public duties. I believe our public duties here come first, and that if we have any private business it ought to be put away. I have many a day sacrificed other business to come here, and I know that other members of the Council have done the same thing; but if they are going to take another week on the matter in this way, playing politics in between, because they are afraid they haven't got the votes to put it over today, then I believe we ought to have the same opportunity given to every other member, whether we know the reason why he is away or not. If we have not got a full Council meeting, if some member has not an opportunity to be here, we will not act on the matter. None of us here today knows whether he will be here next Monday or not, and I agree with the councillor on the other side of the chamber (Coun. Hagan) that I would like to see that courtesy extended to other members. But I had some matters laid on the table here one year ago and they did not give me the same consideration that you are showing to the absent member on this matter today. While I was away out of the city they took those matters up and passed them, and did not give me an opportunity to be heard upon them. Of course, I am not criticising the man who is away at this time, but I simply want the same fair consideration given to every other member of the Council, and if there is anybody absent at the next meeting, whether he is in favor of or against a proposition, I am going to ask that the matter be laid over. In that way we may be able to have it laid over long enough so that even the people in the districts where they want to spend the money will not have an opportunity to have the money taken away from this important matter devoted to some other purpose. If we are going to start in jockeying—and I believe that is what we are doing today—let the public know it. I believe we can well be criticised by all the citizens of the city for jockeying upon a proposition of this kind, where there is no need of jockeying. We have four votes here today against this, and an attempt is being made to try to change some of the votes against the thing so that they will be for it later on. Some weeks ago it was defeated by a vote of eight to one. So, if jockeying in this matter is to be allowed, with a possible chance of being able to turn over a vote or two, I believe that when a member deliberately leaves the Council, and there is an attempt to delay action with the idea of possibly getting a vote changed, you ought to extend the same opportunity to other members. Of course, you have the votes here today to lay this over, but if you are going to put through such votes on account of having the night, we might as well adjourn *sine die*. I believe the proposition should be voted on on its merits, like every measure that comes in here. I believe there has simply been a political move made here in having the thing tabled, to give an opportunity to crack the whip, so as to change members' votes over in a way that will not reflect their

own real sentiment. I will simply add in conclusion, Mr. President, if we are to vote to lay this matter on the table today, that I hope that when it comes up a week from today, if there is any member of the majority or minority on this question who is not able to be here at the meeting, it will be put over until he can be present.

Coun. LANE—Mr. President, I resent the imputation which my colleague has made concerning the playing of politics on this question. I cannot speak for the other eight members of the Council, but I certainly speak for myself, and I wish to assure him that no political consideration enters into any vote of mine upon the matter. When the order was first introduced I voted for the gymnasium in South Boston, and I would like to see the people of South Boston get that gymnasium. I have changed my attitude for one reason, and for one reason only. I have been assured by his Honor the Mayor, and I have no reason to doubt that he is sincere, that he will not expend this money for a gymnasium in South Boston, and in consequence that large sum of money is going to be tied up and do no one any good. He has sent in to us a proposition that if this vote is rescinded he will expend various amounts in other parts of the city. Those parts of the city have no more interest to me than South Boston, but the interests of the people as a whole are close to me, and if we are otherwise going to deprive people in other parts of the city of needed improvements I believe it is my duty to vote to rescind the previous order. I cannot speak for Coun. Watson, who is absent, except to say that I am absolutely convinced that he did not leave this chamber with the idea of ducking. He was obliged to go away on a business call, and I am sure that he is not trying to delay action on the proposition. If the matter came to a vote today it would probably be defeated, and I have no doubt that it will be defeated if it comes up next Monday. I expect to take my licking with no feelings whatsoever. I am only changing my position on the matter for the reason I have stated. But I don't like to have the councilor saying that I am playing politics, because I believe, as far as votes are concerned, that I would get just as many votes from South Boston as from the other parts of the city where they will have these benefits if the order referred to is rescinded.

Coun. MORIARTY—Mr. President, I don't mean that they are playing outside politics. I mean that they are playing inside politics.

Coun. HAGAN—Mr. President, I would like to ask a question. What is the difference between outside politics and inside politics?

Coun. MORIARTY—Well, while theoretically each one of you may not be representing a certain district, but are representing the electorate of Boston as a whole, nevertheless members might be taken aside and the statement made to them, "I will take this appropriation and split it up and give you \$25,000 in your district, \$50,000 in your district, and \$75,000 on your pet measure. I will distribute the money around." I call that inside politics. I would say to the councilor who has just taken his seat that if he believed in 1921 that a municipal gymnasium should be built in that district, and if again in 1922, when the rescinding order came in here, voted "no," he has not said anything that would show me why he has changed his mind, any good reason why he has done so. He says he is changing his position just because the Mayor says that if we do not rescind that money certain projects will not go through. Well, there is still some money in the Reserve Fund. There was another order for \$50,000 that came in here today, that you are going to eventually vote in favor of, to hire some counsel to fight the national banks; and if there was something else came up there would be another \$50,000 or \$75,000. It is my claim that there is still money enough in the Reserve Fund to take care of the Eagle Hill project and the other two propositions

to which the Mayor has agreed to transfer that money. I do not want to be considered—and I say this without any feeling in so far as the Mayor is concerned—as a dog in the manger against the propositions of the Mayor, but I was elected to use my own judgment and I took my oath to live up to that. That is what I am doing. I believed in 1921, with the other members of the Council, with not one dissenting vote, that we were entitled to a gymnasium in South Boston, and I so voted. In 1922 I voted against rescinding that order, because I believed that we were still entitled to that gymnasium and it was a real need in the district. I am of that same mind today, and if the councilor who has resented my remarks has not really changed his idea, if he still really thinks that this is an easy proposition for the district, then I say that he is not voting according to his oath of office. Just because someone says that this won't be done and that won't be done is no reason why we should not observe the oath we took when we came here. If he still feels that that money should be spent there, that there is need of it, he should vote against rescinding the order. I do not wish to state that Coun. Watson is avoiding a vote on this matter. I feel that Coun. Watson is as courageous as any member of this Council. I believe he has nerve enough to vote yes or no on any question. There is no inference on my part that he is ducking the issue, but in all my four years as a member of this body it seems to me very, very funny at this time that they are at this moment giving consideration to one man. I have not seen it before. If it had been a thing that had been done, if it was the custom of the Council to show that courtesy to a man who was called away on business, I would have had no objection. But that has not been the policy of this Council. If this means a new day and a new policy, I am glad that the gymnasium proposition came up today, because I will be glad to go along during the remainder of my term under that new policy.

Coun. LANE—Mr. President, the gentleman has said that I have given no reason except the word of one man that the gymnasium will not be built if we do not rescind the order. Unfortunately, that man is the one who has the final and only word. If it was not his Honor the Mayor who made that statement, we might think there was an opportunity or a possibility of getting the gymnasium; but under our charter the Mayor alone is responsible for the expenditure of the money, and he has given his word—and I believe his word is good, I have never found it otherwise—that the money will not be spent for that purpose. I believe he fully intends not to spend the money for that purpose. Therefore, I feel that I would be remiss in my duty as a member of this Council if I did not make that money available for other purposes. The gentleman who has taken his seat has confounded the Reserve Fund and the borrowing capacity of the city. He has stated that an order has come in here today for \$50,000 for the Reserve Fund and that he believes there is more money in the Reserve Fund than can be spent for Eagle Hill and other purposes. The reserve money will not be expended that way, because that money was to come from loan orders. As we all know, we have appropriated already a great many loan orders this year, and I don't believe his Honor the Mayor will sanction any further inroads on the borrowing capacity unless something that is very important comes up in the near future.

Coun. HAGAN—Mr. President, I believe it is only right, fair and just to say that Coun. Watson, leaving the hall today, did so on an important errand of business, and believing at the time that this matter was going to lie on the table and that there was no special need of his being here. I say that in simple justice, that he is not ducking any responsibility. May I say to my colleague that it was the custom in the body—

Coun. FORD—Mr. President, I was wondering what was before the body. What question are we discussing?

Coun. GILBODY—That is what I have been wondering for ten minutes.

Coun. MORIARTY—Well, I got away with it.

Coun. LANE—Yes.

Coun. FORD—These fellows on the right and left say that they got away with it. I think we had better move along, Mr. President.

Coun. HAGAN—Well, if there is nothing before the body, I will sit down.

President BRICKLEY—There is nothing before the body. You are all out of order. But I gave you the liberty to proceed. We will now take up No. 1 on the calendar.

APPOINTMENTS BY THE MAYOR.

President BRICKLEY called up the following, under unfinished business:

Action on appointments submitted by the Mayor April 3, 1922, of the following named persons to be Constables, viz.:

1. Peter A. Caporale, Thomas P. Gorey, David A. Greenburg, St. Claire E. Hale, Alphonsus Palumbo and Theodore A. Walker.

The question came on confirmation. Committee, Coun. Ford and Donoghue. Whole

number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

SIDEWALK CONSTRUCTION.

Coun. DONOGHUE offered an order—That the Commissioner of Public Works make a sidewalk along Williams street, both sides, from Forest Hills street to Washington street, Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under suspension of the rule.

GENERAL RECONSIDERATION.

On motion of Coun. DONOGHUE, general reconsideration of all action taken today was refused.

Adjourned at 4.07 p. m. on motion of Coun. MORIARTY, to meet on Monday, April 17, at two p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 17, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

RIVERWAY IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, April 12, 1922.
To the City Council:

Gentlemen,—I am transmitting herewith a communication from the chairman, Board of Park Commissioners, relative to an appropriation for Riverway Improvements, and respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, March 30, 1922.
Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—At a meeting of the Board of Park Commissioners, held Thursday, March 30, 1922, it was voted to ask your Honor to request the City Council to appropriate \$27,000 on or after April 16, from the income of the Parkman Fund for Riverway Improvements to be expended as follows:

Resurfacing park roads with a permanent pavement between Brookline avenue and Audubon circle, and between Brookline avenue and Longwood Bridge, estimated about 15,000 square yards.....	\$25,000
Planting, etc.	2,000
	\$27,000

Very respectfully yours,
JAMES B. SHEA,
Chairman.

Ordered, That the sum of \$27,000 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

Riverway Improvements\$27,000

Referred to the Committee on Parkman Fund.

APPOINTMENT OF CONSTABLES.

The following was received:

City of Boston,
Office of the Mayor, April 17, 1922.
To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I hereby appoint the following-named persons constables of the City of Boston for the term of one year, beginning with the first of May, 1922.

All of the persons named in this list are re-appointments.

Commissions of constables not named herein will expire on April 30, 1922, and such constables are hereby removed from office from and after May 1, 1922, for the good of the service.

Respectfully,
JAMES M. CURLEY, Mayor.

(The appointments referred to are contained in Document 50.)
Laid over, under the law.

APPOINTMENT OF MINOR OFFICERS.

The following was received:

City of Boston,
Office of the Mayor, April 17, 1922.
To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I make the following appointments of minor officers paid by fees for the term of one year beginning with the first day of May, 1922. The appointments of all such officers not named herein are hereby revoked from and after April 30, 1922.

Respectfully,
JAMES M. CURLEY, Mayor.

(The appointments referred to are contained in Document 51.)
Laid over, under the law.

VETO—CHRISTOPHER J. LEE PLAYGROUND IMPROVEMENTS.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1922.
To the City Council:

Gentlemen,—I return herewith, without my approval, the order approved by your Board on March 27, providing for the expenditure of \$100,000 for improvements in the extension of Christopher J. Lee Playground, South Boston.

The failure of your Board to rescind the order providing for gymnasium at Broadway, South Boston, not only renders it impossible for me to approve the appropriation for the Christopher J. Lee Playground but, in addition, renders it impossible to proceed with other equally necessary and important playground developments.

Twilight baseball enjoys today a larger attendance than any other outdoor sport, yet it will be necessary to put the public to the inconvenience of standing during baseball games in all sections of the city, simply because of the failure to rescind the order for the gymnasium at Broadway, South Boston.

The action of the Council will make necessary the possible postponement of the erection of bleachers and improvement of the baseball field at Gibson Street Playground, Dorchester, Eagle Hill Playground, East Boston, and the Christopher J. Lee Playground, South Boston.

I sincerely trust that, upon reflection, the City Council will consider the fundamental that should never be overlooked in government, namely, the greatest good for the largest number and, if this thought is observed by the City Council, it should result in the immediate rescinding of the unexpended balance of the appropriation for a gymnasium at Broadway, South Boston, and with this money available it will be possible to provide for the needs of many sections of Boston at once.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—SIDEWALKS ON NEWBURG STREET.

The following was received:

City of Boston,
Office of the Mayor, April 11, 1922.
To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your honorable body providing for the construction of artificial stone sidewalks on Newburg street, from Belgrade avenue to Beech street.

The limited appropriation for work of this character makes this action necessary.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

A. Battaglia, for payment for a pane of glass broken by ash collector at 531 Dudley street.

Mary L. Cadigan, to be paid on account of the death of her son who was drowned at Rainsford Island.

J. C. Coleman & Sons Company, to be paid for work done for the Park Department in 1916.

Annie T. Collins, for compensation for injuries caused by snow and ice on sidewalk at 1410 Tremont street.

Mary Donovan, for a hearing on her claim on account of injuries caused by a defect in sidewalk at 71 Crawford street.

Benjamin Douglas, for compensation for damage to clothing caused by a fall at corner Northern avenue and Atlantic avenue.

Mary A. Farrar, for compensation for damages at 28 King street, caused by stopping up of drain by roots of a tree.

Kenneth M. Ferguson, to be reimbursed for expense incurred on account of stoppage of sewer at 89 Florence street, Roslindale.

Mrs. Emma J. Goodwin, for compensation for injuries caused by a defect in sidewalk corner Washington and State streets.

William Hutchinson, for compensation for damage to stone post in alley at side of 7 Miner street, knocked down by ash collector.

Mrs. H. Kenteriwitz, for compensation for injuries received from a fall at corner Wayland street and Harvard avenue.

Saul L. Lippman, for compensation for damage to automobile caused by oil on Harvard street, Mattapan.

Nicola Masciulli, for compensation for damage by sewage at 94 and 96 Everett street, East Boston.

Dennis McCarthy, for compensation for damage to car by fire apparatus.

Margaret Rae, for compensation for injuries caused by a defective sidewalk at 298A Shawmut avenue.

Thomas E. Ring, to be paid for an overcoat stolen from him at the Paris Street Gymnasium.

Grace Rowell, for compensation for injuries caused by a defective board walk on the Common.

Mrs. Concetta Squeglia, for compensation for injuries received on the ferryboat "Ralph J. Palumbo."

Margaret T. Trainor, for compensation for damages at 3 Howes street, Dorchester, caused by a defective sewer, January 14, 1919.

Executive.

Miss Gertrude Murphy, for permit for children under 15 years of age to appear at South Boston Municipal Building Hall on May 19.

CONFIRMATION OF APPOINTMENTS.

Notice of approval of the following appointments were received from the Civil Service Commission, viz.:

James B. Shea, Park Commissioner.
William M. McMorrow, City Collector.
Louis K. Rourke, Transit Commissioner.
Edward W. McGlenen, City Registrar.
Placed on file.

PREVENTION OF ACQUIRING EASEMENTS.

Notice was received from the First African Methodist Episcopal Society to prevent acquiring easements by prescription on land, Mt. Vernon street.

Placed on file.

NOTICE OF GASOLENE HEARINGS.

Notice was received from the Street Commissioners of the following petitions for

keeping and storage of gasolene and of hearings on same, viz.:

E. F. Lally & Sons Company, 145-155 Old Colony avenue, Ward 11, 2,000 gallons.

Colonial Filling Station, Inc., 350 Chestnut Hill avenue, Ward 25, 5,000 gallons.

George Krawcenski, 1706 Centre street, Ward 23, 2,000 gallons.

George A. Irwin, 40 and 42 Lewis street, Ward 2, 10,000 gallons.

Blodgett, Ordway, 136-146 Harrison avenue, Ward 5, 5,000 gallons.

Morris Bronstein, 51 Audubon road, Ward 8, 4,000 gallons.

Lumber Mutual Fire, Inc., 632 Beach street, Ward 8, 3,000 gallons.

David Stern, 195-207 Audubon road, Ward 8, 9,000 gallons.

Charlestown Storage and Warehouse Company, 55 and 56 Beach street, Ward 3, 40,000 barrels.

Louis S. Kaufman, 84-94 Peterborough street, Ward 8, 1,000 gallons.

Atlantic Refining Company, 841 Massachusetts avenue, Ward 12, 6,000 gallons.

Simcon J. Chadwick, 63 Morton street, Ward 22, 1,000 gallons.

Leighton & Barrie, 120 Alford street, Ward 3, 4,000 gallons.

City of Boston, Avenue Louis Pasteur, Ward 14, 6,000 gallons fuel oil.

City of Boston, Maxwell street, Ward 21, 10,000 gallons fuel oil.

Montgomery-Brooks Company, 750-764 Washington street, Ward 5, 3,000 gallons fuel oil.

Referred to the Executive Committee.

JURY LIST.

The following was received:

City of Boston,
Office of the City Clerk,
April 17, 1922.

You are hereby notified that the list of inhabitants qualified to serve as jurors, as prepared by the Board of Election Commissioners and contained in City Document No. 40, was filed with me in accordance with law, on April 11, 1922.

Respectfully,
JAMES DONOVAN,
City Clerk.

Placed on file.

In connection with the communication Coun. HAGAN offered an order—That the City Clerk be hereby directed to cause the names on the jury list, as transmitted to him by the Election Commissioners and contained in City Document No. 40, to be written each on a separate ballot, and said ballots to be properly folded and placed in the box provided for the purpose.

Passed, under a suspension of the rule.

AMOUNT OF RELIEF TO CITY POOR.

Coun. WATSON offered an order—That the Overseers of Public Welfare be requested, through his Honor the Mayor, to inform the City Council if it has the information of the amount of relief, if any, that is given to the worthy poor of the City of Boston by the Family Welfare Society of Boston, formerly known as the Associated Charities.

Coun. WATSON—Mr. President, in consequence of information, facts that have been brought to my attention, I have introduced the order just read by the Clerk for the purpose of furnishing the public, through the minutes of the Council, and perhaps through the kindness of the press, data with which I believe the public should be acquainted concerning the Family Welfare Society of Boston, formerly and better known as the Associated Charities. This is not the first time that I have stood upon this Council floor and spoken my mind plainly concerning the professional philanthropists who make up this organization and who draw large salaries through the goodness of heart of the people

who subscribed to the associated charities of the City of Boston. John Boyle O'Reilly, the gifted poet, penned the following lines in one stanza of "In Bohemia," which I shall use as my text in the remarks concerning the order I have introduced:

"The vulgar sham of pompous feast,
Where the heaviest purse is the highest priest;
The organized charity, scrimped and iced,
In the name of a cautious, statistical Christ."

No truer words were ever penned concerning the philanthropist who ekes out glory and salaries from the misfortunes of the worthy poor of great centers like Boston. The words of O'Reilly tell the entire story, and I would stop here only that I wish to present a few facts and figures that are germane to the subject under consideration. The information I have had in hand for weeks is fortified by action of certain police officers of the City of Boston yesterday, following out the propaganda and the proselyting of the Family Welfare Association of Boston. Yesterday, at about half past nine, my door bell rang. I answered the bell, and upon opening the door I was accosted by a respectable appearing man with a band upon his arm which bore the inscription, "Russian Famine Conference," and he told me that he and others making up several organizations, among them labor organizations, were soliciting contributions for the relief of starving Soviet Russia. I hold no brief for Sovietism, as I understand it, although I know little about it, but I do hold a brief for starving and suffering humanity, regardless of political or religious affiliations, and I told him that I would subscribe one dollar. He accepted the dollar, thanked me, and handed me two receipts for fifty cents each, which say, being numbered 4491 and 4492 respectively, "Received donation, fifty cents, for the relief of famine-stricken Soviet Russia. Russian Famine Relief Conference," and they bore the union label. He left my door and went to the left. In about five minutes the patrol wagon of Station 10, which covers the district in which I live, came by the house with an officer on the rear step. The officer, knowing me, waved his hand to me, and, becoming curious, I followed him with my eye to a point about three doors beyond my home. The wagon stopped there and the officer on the rear got off and was joined by another officer from the interior of the patrol wagon. I then heard a voice say, "Here they are," and they went across the street. I wandered down there to see what the trouble was. They came to the wagon carrying a respectable looking young man and a respectable looking young woman, to place them in the patrol wagon. I assumed that they had committed an offence in particular that I had in mind, but I inquired, "What is the trouble?" The officer said, "We are taking them in for soliciting." I then noticed that they both had on their arms the band I referred to as being on the arm of the man who solicited and received a contribution from me at my door a few minutes before. I said, "What are you arresting them for?" The officer, whom I don't know but who evidently knew me, said, "We are not arresting them, Mr. Watson, we are merely taking them to the station house." "For what?" I said. "For soliciting without a permit." "Do you mean to tell me that you are going to take that young lady and that young man in the patrol wagon to Station 10, submitting them to that public disgrace, taking them down there in this manner without placing them under arrest?" The reply was, "Those are our orders," and they told me that they were combing the district for many more that were soliciting for this selfsame fund. I said, "I tell you what I will do. If you will release those two, not taking them in the patrol wagon, we will all walk down to the station together, and I will guarantee that they will go there in an orderly way." The officer said, "We can't do that, Jerry; we have our orders from the captain." I said, "Before you take them, will you come to my house and telephone to the captain, and tell him that I protest against these apparently decent people being placed in the patrol wagon when they have committed no crime,

and when it is not proposed to place them under arrest?" They said, "Yes," and they went to my house with the young man and the young woman. I got the name of the young man and the young woman, and I have the names here. The officer telephoned to Station 10. I did not hear what was said at the other end; I am not on intimate or friendly terms with the captain in charge, and do not desire to be. The officer who had come into the house with me, said, "There is a citizen here protesting against my taking this man and woman, who have been soliciting without a permit, to the station house in the wagon." Then the answer came back asking who it was, and the officer said, "Jerry Watson." Almost immediately the phone was hung up and the officer said, "They will have to go." I said, "Very well. You will hear from me." I had had no intention of referring to this matter, not knowing that anything of this sort was going to happen, but simply had in mind the Family Welfare proposition, upon which I have had something in preparation for weeks. But this incident dovetailed into the other as well as anything could. Then my front door opened and another officer came in, the driver of the patrol wagon, making a third officer who was taking part in this affair. The thought immediately struck me that the District Attorney of the state, the United States District Attorney and the Attorney-General, at the suggestion of Governor Cox, had been holding a conference in order to put down crime, which they say is rampant in Massachusetts, that we had been told that there was great need of police officers, and here they were sending out a number of officers to gather in inoffensive and well-meaning people who were simply soliciting for suffering humanity in a foreign country. They were there altogether four officers, and I don't know how many more had been delegated to gather in these solicitors, at a time when we had been told that crime was rampant and that all the police were needed. The conference must have been a joke; I don't believe there is any such amount of crime as they claim there is. It is hysteria, brought about by propagandists. But they will cause more crime and disturbance if they are not careful. Gentlemen of the Council, we are on the edge of a volcano. The service men of our country are dissatisfied, and rightly so, with the treatment accorded them by the government of the country, national, state and city. Crime is on the increase. Starving men and women are not using the best judgment in securing the necessities of life. They are not standing for authority and for law and order, because they think only of their dear ones and their needs. We have the spectacle of two district attorneys of the state removed from office; we see increasing unemployment; we see generally disturbed conditions. More men are receiving soldiers' relief than ever before in the history of Boston. The Overseers of the Poor Department have been working the limit in helping worthy people, and then we see the money of the taxpayers being wasted by people in the department which is responsible for sending out squads of men to take into custody and to intimidate those who are seeking money to aid a starving community. For shame! I want to say—my duty compels me to do so, in all fairness to Commissioner Wilson—that I waited upon the commissioner this morning and stated the circumstances, and he produced a letter which was the last general order sent out by Superintendent Crowley under the late Commissioner Curtis, in which it said in substance that, owing to the numerous complaints from certain people about pan-handling and begging on the highways, the captains in the different districts should instruct the officers to warn those who were begging on the highways; and it said further that any man or woman in need could apply to the Family Welfare Society or to the Overseers of the Poor of the City of Boston. The latter was stamped with the name of Mr. Crowley, the Superintendent. I talked with the Police Commissioner and told him the circumstances. I told him, first of all, that soliciting from door to door for a genuine

charity was not against the law. I told the commissioner that Judge Hayden, who holds no brief for Russians or for those of Jewish extraction from Russia, the so-called Soviets, had discharged several solicitors who had been put in court for soliciting from door to door without a permit. The result was that the commissioner, after I told the story, basing his information on facts suggested by me, said that those people should never have been placed in the wagon. But I have got away from the trend of my thought, and I will go back to the time in my house when the other policeman came in. The one who telephoned said, "I have got to take them." The other policeman said, manfully, "I will walk this woman down to the station house." I said, "Well, you are taking a chance. The orders from the chief or the captain are that they must go down in the wagon, and you may be reprimanded or worse." "Well," he said, "I will take a chance." So the man went to Station 10 in the wagon, and the young woman walked. I have the name of the young man here, James Poles, of 72 Boylston street, Jamaica Plain, and the name of the young woman is Eva Freed, of 108 Cedar street, Roxbury, not far from where I live. Both were unpaid volunteer solicitors put out by the Russian Famine Relief Conference. I simply say this, that such treatment should not be extended in any such unwarranted way to people who come here from foreign climes, having in mind the Statue of Liberty and freedom and equal rights. They come here to escape oppression in their country, to escape persecution, autocracy, special privilege. They come here, their bosoms heaving with appreciation of what they think is here, and we preach Americanism to them. We establish departments to teach the principles of Americanism, and then what happens? While we are preaching to them the glory of America and its history, they are taken in hand by officers of the law, wearing the brass buttons of authority, who place them in patrol wagons, without any offence being charged against them, simply because they are soliciting funds to save starving children. This Russian famine proposition has the O. K. of the United States Government. Mr. Hoover, the Secretary of Commerce, has already sent over several steamer loads of provisions to relieve starving Soviet Russia, and more are on the way; and yet when these poor, well-meaning people, attempt in their humane way to get together, not only in Boston but in other parts of the United States, and raise a fund to aid those who are starving in Russia, a movement that the government itself is already deeply interested in, they are held up by the police authorities of a community, without any proper action of law. What is going to be the result of that sort of thing? Are these people going to think more or less of our so-called free institutions? They are of the laboring classes, they are affiliated with labor unions to a great extent, and when they know that there are organizations trying to take protection from them in the labor field, plus denying them the right to lawfully solicit contributions for their starving fellow countrymen, women and children, is that going to make of them better or worse citizens of these United States? I occupy a small position in this governmental body, and in the eyes of those outside of Boston I am not even the dot over an "i," but I know this, that there is a fire smoldering and that it should not be fanned into a blaze by the action of any individuals or set of individuals at this time. We Americans should bear this in mind and remember it. Remember the sign at the railroad crossing, where there are no gates or flagmen, "Stop, Look, and Listen," in large letters. It is my feeling that today the constituted authorities in the United States must play fair with the average man and woman, must not crowd them, trample upon them or take from them the rights which they are guaranteed under the constitution. Remember this, friends, members of the Board, that when men and women land on these shores from some country where they have been oppressed or persecuted, they do

not immediately become citizens. They cannot do so under our laws. They must wait five years for complete citizenship, and then pass an educational test. Therefore, in the beginning they ought to be treated as human beings and their rights should be respected, because some day it is possible that their male or female offspring may rise to the highest elective office within the gift of the American people, sitting in the President's chair. Remember, we are all immigrants, either through our parents or our parents' parents, because the Mayflower held only 170, and there were but few here when that boat came here. So much for the Police Department. I hope that Commissioner Wilson will put some real, genuine human spirit into the hearts of the policemen of Boston, where they do not possess it already, and he need not confine his efforts simply to those who became policemen after the strike, but can also direct them to those superiors and others, who were there before the strike, as well as those who have come since the strike. Furthermore, the police officers of Boston should be required to be gentlemanly and to talk politely. They do not do it. Commissioner Wilson says he is going to compel it, and I think he means it, and I hope that his resolution in that direction will not dry up, but that the thing will go through. He treated me fine. It seemed to me that the man or woman should never have been arrested, that they should have been warned, and they were not warned. So much for the Police Department, in their zeal to follow out the wishes and desires of the Family Welfare Society, professional philanthropists, at so much per. I am only repeating now a part of what I said here in 1914, and I spoke then after a long acquaintance with the work of the Associated Charities. At that time I bared my past to the world, and it is in the record—I would not allow it to be erased,—that in my early days, when I was fifteen, on account of the adversity of my parents I was compelled to go with my basket to the Roxbury charitable yard for my Sunday dinner for my mother and father and younger brothers and sisters, because we were in want. The Associated Charities have that record on their files. Poverty is no disgrace. I made up my mind then—it got into my bones—that I would try to do what I could for the ordinary man or woman who needed help whenever I could. My purse is limited, but I am as liberal as any member here in helping those who need it, and I don't put them through a civil service examination, either. When they need half a dollar to buy food or to buy coal to keep them warm, I don't send a social worker to their home to look into the history of the family from the beginning of time, and at the end of five days serve notice on them that, owing to some other agency being interested, I cannot interest myself in the matter. Only today in the reporters' room I heard of an instance in the West End where a family had been cold for four days. They were suffering from the cold, were without coal, and they applied to these same people for relief. Five days afterwards their appeal was denied, and if it were not for the charity of neighbors that family might have been frozen to death in that period. I cannot help getting aroused at that sort of thing, the feeling is in my bones, it is an obsession. I have investigated this Family Welfare Society, better known as the Associated Charities, who have occupied city property free of charge. Let me call to the attention of the members the fact that the St. Vincent de Paul Society of the church to which I belong and the Jewish Welfare Society, representing their people, refused to have anything to do, in the way of helping by records or in any other way, with the Family Welfare Society. Furthermore, the Public Welfare Department of the city, formerly the Overseers of the Poor, after I made my attack in 1914 on these people, to permit their records to be scann'd by the Associated Charities or the Family Welfare Society, and today they are refused that privilege. You might think that the Associated Charities were of some consequence, and you might get that opinion from reading some of the editorials in the *Herald* columns. The

Boston *Herald* said in its editorial columns on April 13:

"The facts have come to the Boston *Herald* from so many quarters that it has made a special study of one of the leading charitable enterprises, the Family Welfare Society, and herewith presents to its readers a situation both curious and interesting."

Then it goes on:

"The society has fourteen neighborhood offices scattered throughout municipal Boston, where paid and voluntary workers stand ready to render assistance in the neighborhood. Everyone in the city thus has an office in his general neighborhood and a chance to help those who have fairly a right to look on him as their neighbor."

And they indorse the society. Then there is some propoganda in the *Post*. In the *Post* of the 15th of April it says, under the heading, "Doing Much Social Work." The report for March from the fourteen districts of the society, submitted at the meeting to the directors, reads as follows:

"Families visited during the month, 1,811; new applications during month, 264," and so on. A lot of numerals, figures, are given so as to make you think they are doing a lot, but that is all there is to it. Then it says in the *Herald* of April 12, under the heading, "Appeals for Support of Welfare Society," "President Moors points out needs due to unemployment. John F. Moors, President of the Family Welfare Society," and formerly president of the Finance Commission, "said yesterday that it is the duty of all good citizens to uphold the society in its campaign to increase its membership, because of the unemployment situation here," and so on. Then it says here, in the *Post* of April 12, 1922, under the heading, "Backs Plan to Stop Begging," that "The Family Welfare Society realizes the seriousness of the position in which the handicapped man is placed, and has agreed to join with the Overseers of Public Welfare and other agencies to do its best to help such of these men as are residents of Boston and have family connections." That shows the nature of their very cunning crusade to stop soliciting by these well-meaning and deserving people, such as I have referred to, for the help of their starving fellows in Russia. They back the policemen up and urge them to stop public begging. Why? Because they are making a drive for contributions, now, with a deficit of \$17,000 in their funds, according to their own statement. A deficit of \$17,000, and how can they make it up if these people are going to be allowed to raise money for starving Russia and for other deserving charities? And how much money do these people spend? Let me show you. And, by the way, let me refer for just a moment, to Jeffrey R. Brackett, the vice president, formerly a member of the State Board of Charities of the Commonwealth, a man whose department I investigated for Governor Foss in 1911, finding that he was working both ends and the middle. He organized a social service school back of the Courthouse, and there trained young women in his organization and got them recognized by the state Civil Service Commission as being sufficiently trained as to give them a high mark for social service work. He organized that as a bread and butter scheme, from which he obtained a pay envelope every week. Here is the outfit: John F. Moors, president; Jeffrey R. Brackett, vice president; and Mrs. Joseph Lee, also a vice president. Why, I cannot figure here the name of an immigrant or the son of an immigrant in the whole outfit. And I will tell you why. A short time ago a family out my way were in need. They got in touch with a visitor from the Overseers of the Poor, and, instead of getting the help they expected, they were advised to see a representative of the Family Welfare Society. A visitor from the organization came to see them, and the woman very foolishly told the visitor that if she could not be helped she would see Jerry Watson. She was told, "Politicians don't bother us. You know, Mrs. So-and-So, that no Catholic contributes to the Family Welfare Society funds." And God bless them, they

don't, and the reason is because not one dollar contributed to the Family Welfare Society of Boston, better known as the Associated Charities, ever goes for relief, and I will prove it. I have here the forty-first annual report of the Family Welfare Society, better known as the Associated Charities, a report issued in November, 1920, and I will read from it. It says here:

"November 8, 1920.

"We have made an audit of the financial books and records of the Family Welfare Society of Boston for the twelve months ending September 30, 1920, and certify that the treasurer's statement as shown above is correct.

MOYER & BRIGGS,
Certified Public Accountants."

And now I will read from this report. Giving the receipts for the year ending September 30, 1920, it enumerates the source of the income, the total amounting to \$78,297.70, with deficit for current expenses of \$8,073.82, which somebody advanced to them, totaling \$86,371.52. Those were the receipts for the year ending September 30, 1920. Then there are the payments for the year ending September 30, 1920. Under administration, for salaries and wages, \$15,936; under service, for salaries and wages of staff and of welfare committee for men, including traveling expenses, \$44,325.78; under confidential exchange, for salaries, administration and equipment expenses, \$10,799.69, making over \$71,000 of the \$86,000 expended for salaries. The other amount, about \$14,500, was expended as follows: For rent, light, heat and care of administrative and district offices, \$4,305.46; for office equipment and supplies, including printing, \$6,038.80; for telephone, all departments, \$2,593.56; for national conference expenses and other traveling expenses, \$302.53; for miscellaneous expenses, \$1,442.95; for League for Preventive Work, \$400; for audit of books, \$226.75. That is, of the \$86,371.52 given up by well-meaning people, the whole amount was expended for salaries, overhead and other expenses, and not one dollar for relief. That has been going on for forty-three years in Boston, continuously. I am unable to get the 1921 report; I don't know why. Now, members of the Council, isn't this an organization that ought to be exposed? Think of these volunteer workers, with no overhead attached to the thing, being apprehended by the police at the suggestion of the Family Welfare Society, who are gathering money together for starving humanity, keeping back not one dollar for their own salaries or expenses, all the work being volunteer work; and on the other hand we are harboring in a city building an organization made up of practical, professional philanthropists, who feed the starving on kind words and smiles. Why, it is a disgrace to the city to permit them to occupy one foot of our property. The idea of contaminating the St. Vincent de Paul Society, the Jewish Welfare Society and all the other relief organizations, by permitting these proselyting, propagandists, begging, professional philanthropists to conduct an organization of this sort alongside of them in order to keep a lot of Jeffrey Brackett's social workers on the pay roll, entirely independently of the fact that the well wishers and well meaning people who contribute know nothing of what the money is contributed for! I have talked longer than I should. I could say more, but what is the use? Barnum said that the people loved to be fooled, and this is virgin soil for that business, Boston, where a sucker is born every moment, and a bodyguard to catch him. I would rather express my opinion about this kind of propagandists and professional philanthropists in the quietness of a corner with my good friends about me, men who would not chastise me for my language. But I cannot do it on this floor. I do think, however, that if the Governor of this Commonwealth, the Mayor of this city, the District Attorneys of the state, the United States District Attorneys and the state Attorney-General desire to thrill the future citizen with true Americanism, they should come out and expose the rich hypo-

crites, the canting hypocrites who prey upon the unfortunate men or women who have to sink pride in order to avoid starvation and who, when their necessities overcome their pride and independence, when they see misfortune threatening their loved ones, who look to them with beseeching eyes, perhaps hungry or cold, and who perhaps sacrifice their pride, accept the gift of honeyed words from the professional social service worker, who has a heart of stone but a velvet hand, and who is on the pay roll and draws money from the coffers of the Family Welfare Society. If the Overseers of the Poor Department, to which we contribute money, can commune either secretly or openly with the Associated Charities, now known as the Family Welfare Society, I propose to drag out the skeleton from the closet of the Overseers of the Poor Department, which, in my opinion, should be cleaned from cellar to garret, because their work is getting down on a par with that of the professional uplifters and philanthropists. I propose to continue my efforts and propose to find out whether or not the Overseers of the Poor, now known as the Overseers of Public Welfare, are back in the ditch again and working hand in glove with this organization, which should be turned out of public property. Therefore, I move a suspension of the rule in order that my order may pass at this time.

The order was passed under suspension of the rule.

Coun. MORIARTY in the chair.

RECESS TAKEN.

The Council voted at 3.24 p. m., on motion of Coun. FORD to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 5.41 o'clock p. m.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear May 2, 1922:

Charles H. Jones, Ward 1; Nicholas J. Hackett, Ward 2; Anthony Labella, Ward 2; Patrick J. Hogan, Ward 3; John C. McDonough, Ward 3; Philip B. Muldoon, Ward 3; Stephen S. Pentkowski, Ward 3; Joseph P. Lawton, Ward 4; Hyman B. Daniels, Ward 7; Edward M. Armstrong, Ward 8; Ferris Greenslet, Ward 8; William H. Weibrecht, Ward 9; George W. Bollard, Ward 10; Joseph H. Corrigan, Ward 10; Thomas S. Hausserman, Ward 10; Frank J. O'Connor, Ward 10; Ralph C. Mills, Ward 11; William L. Colbert, Ward 12; Thomas H. McDonald, Ward 12; Carl Anderson, Ward 13; John W. Thompson, Ward 13; Frank A. Fisher, Ward 15; John W. Channel, Ward 16; Fred England, Ward 17; William X. McKee, Ward 17; Frank McLaughlin, Ward 17; Alfred N. Hauver, Ward 18; Michael J. H. Loughlin, Ward 19; Victor Swanson, Ward 20; Jeremiah J. O'Connor, Ward 21; Herbert W. Ruggles, Ward 21; John M. Moran, Ward 22; William J. Regan, Ward 22; James Walsh, Ward 22; Elnathan W. Haskell, Ward 23; Winfield S. Wales, Ward 23; Michael A. McGlynn, Ward 24; Lansing R. Robinson, Ward 25; James P. Hannon, Ward 26; William E. Toppin, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear May 2, 1922:

Generoso Gaggiano, Ward 1; James H. Moore, Ward 1; Joseph Morse, Ward 1; Joseph Ricciardi, Ward 1; John J. Maguire, Ward 2; Thomas E. Quinn, Jr., Ward 3; Thomas F. Stack, Ward 3; Morris I. Barovitz, Ward 5; F. Irving Keene, Ward

5; John L. Proctor, Ward 5; John J. McAuliffe, Ward 6; Alexander Anderson, Ward 7; Thomas Murphy, Ward 7; Stillman A. Tasco, Ward 7; Peter W. G. Dirks, Ward 10; Stephen L. George, Ward 10; Edward B. O'Neill, Ward 10; Charles F. Stratton, Ward 10; James A. Barry, Ward 11; Cornelius J. Mahoney, Jr., Ward 11; Thomas P. Travers, Ward 11; John F. McDermott, Ward 12; Henry Vogel, Ward 12; Daniel C. Ferguson, Ward 14; Max O. Brand, Ward 15; Arthur J. Hasset, Ward 15; John E. Smith, Ward 17; Raphael Brown, Ward 19; William J. Adams, Ward 20; Ernest H. Clarke, Ward 20; Israel Gold, Ward 21; James C. Greene, Ward 21; Arthur H. Stephenson, Ward 22; David E. Bigwood, Ward 23; J. Henry Clark, Ward 24; Christian P. Anderson, Ward 25; Andrew Larion Green, Ward 25; George E. Pike, Ward 25; Arthur McArthur, Ward 26; Duncan H. Stewart, Ward 26.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear May 2, 1922:

William J. Eutt, Ward 1; Benedict Pullo, Ward 2; Abraham Shuman, Ward 2; Jeremiah J. Kiley, Ward 5; John McCarthy, Ward 5; William M. Prindible, Ward 5; Samuel Wood, Ward 6; Harry W. Dunn, Ward 7; Edward Lee Ivers, Ward 9; Martin F. King, Ward 10; Harry L. Bailey, Ward 11; George J. Hendry, Ward 11; Ernest G. Lundberg, Ward 11; Lawrence S. Bearse, Ward 12; William A. Benoit, Ward 12; James J. Casey, Ward 13; James Smith, Ward 13; William G. Doble, Ward 15; Emanuel Solomons, Ward 15; Howard C. Appleton, Ward 16; Walter E. Guthrie, Ward 16; Frank L. Keenan, Ward 16; Philip T. Desmond, Ward 17; Arthur F. McMahon, Ward 17; Patrick T. Cronin, Ward 18; George M. Devonshire, Ward 18; Morris Jacobson, Ward 18; Michael P. O'Connor, Ward 18; Melvin H. Prior, Ward 18; William G. Mills, Ward 20; John H. Pollack, Ward 20; George L. Richards, Ward 20; George H. Smith, Ward 20; Thomas Meighan, Jr., Ward 21; Patrick McDermott, Ward 22; John A. Carlson, Ward 23; Bruce A. Stevens, Ward 24; James C. McGraw, Ward 25; C. Victor Ruggles, Ward 26; Harry R. Shaw, Ward 26.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Miss Gertrude Murphy (referred today) for permit for children under 15 years of age to appear at South Boston Municipal Building Hall on May 19—that permit be granted.

Report accepted; permit granted on the usual conditions.

2. Report on message of Mayor, communication and order (referred April 10) for transfer of \$50,000 from Reserve Fund for defence of National Bank suits—recommending the passage of the order.

Report accepted; order passed, yeas 9, nays 0.

LEGISLATION FAVORING MRS. M. J. COYNE.

Coun. WALSH offered the following:
Resolved, That the City Council favors legislation for the payment of an annuity of \$300 per year to the widow of Michael J. Coyne who died from injuries received while in the service of the city.

Passed, under a suspension of the rule.

TRANSFER OF BRITAIN SQUARE.

Coun. FORD offered an order—That the name of William J. Britain square be transferred from junction of Geneva avenue and Bloomfield street to junction of Algonquin, Bradlee and Washington streets.

Passed under a suspension of the rule.

SIDEWALK ORDERS.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along Florence street, Ward 23, between Nos. 180 and 200, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. FORD offered an order—That the Commissioner of Public Works make a sidewalk along Blakeville street, Ward 18, Bowdoin street to Olney street, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. DONOGHUE offered an order—That the Commissioner of Public Works make a sidewalk along Custer street, between Jamaica-way and South street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

EXTENSION OF TERM, COMMISSION ON NECESSARIES OF LIFE.

Coun. FORD offered the following:

Whereas, The term of the Commission on the Necessaries of Life expires April 30, 1922; and

Whereas, There is now pending a coal strike which may seriously affect the people of the City of Boston; and

Whereas, There is good ground to believe that there exists in the City of Boston a combination to regulate the price of coal to consumers; and

Whereas, There is now pending before the Committee of the Legislature a bill to extend the life of said Commission on Necessaries; therefore be it

Resolved, That the Boston City Council favor the adoption of the legislation to extend the term of said Commission on Necessaries of Life; and be it further

Resolved, That a copy of this resolution be sent to the Massachusetts Legislature.

The resolutions were read a second time and the question came on their passage.

Coun. FORD—Mr. President, I am sorry that it is so late in the day. I intended to make a rather extended speech, if so it might be called, upon this matter, but it is so late that I am not going to do so. I do, however, want to call the attention of the Council to the fact that the term of the Commission on the Necessaries of Life is to expire the last of this month. I was up there about two weeks ago and had a conference with the secretary. I have been interested in the work that they have been doing. When the coal strike was about to break I went up to see them and to get their ideas of the coal situation. If this commission is continued in existence after the first of May I intend to introduce an order to have a fuel commissioner for the City of Boston. I have read the statement of Commissioner Hultman who intimated, although he did not directly charge, combination or agreement on the part of the coal dealers of the City of Boston, to regulate and fix the price of coal. Edward Hamlin, the president of the Metropolitan Coal Company, when called on his telephone at Cotuit, said he doubted if Mr. Hultman made the statement he was reported to have made; that there was an agreement or combination on the part of the coal people to fix the price

of coal, and the United States attorney says he will investigate that fact, if such is the fact. I charge, as shown by facts in existence, that there is an agreement or combination on the part of some of the large coal companies in the City of Boston to fix the price of coal. I proved in 1918 that there was such a combination and understanding, when the Fuel Committee of the City of Boston took as their standard and basis, in fixing the price of coal, the price fixed by the large dealers of the City of Boston, namely, \$9.50 a ton. Whenever you see one price on the part of large or small coal dealers, or dealers in ice or other necessities of life, there is a combination or conspiracy to fix the price. I said then, and I say now, that the matter ought to be investigated by the prosecuting attorney on behalf of the public. Whether because they did not dare to do so, lacked nerve, or whatever the reason was, such action as should have been taken was not taken. In any such case dealers should be brought before the Grand Jury, so that the public may know what is going on. The mere fact that the price is uniform proves the thing. When the price goes up uniformly, as it has done for the last twenty years, during which time it has done practically nothing but go up, that is evidence in itself of a combination or conspiracy.

Coun. WATSON—Mr. President, I would like to ask the gentleman opposite if the gentleman at the head of the state commission did not advise the public to buy coal some months ago?

Coun. FORD—I don't know whether he did or not. If he did, probably at that time he might have felt that the price was going to go up. But he recommends now, I understand, that the public do not buy coal, because he says that there is plenty of coal on hand. I am holding no brief for him, however, and if the councilor on the other side has any information about Mr. Hultman which shows that he is not working for the interests of the people, I will certainly be as much against him as anybody else taking that position. I do know that the price of coal is uniform, and I know from past history that coal dealers in the City of Boston have increased the price of coal uniformly for years, showing that there is a combination. They have said that they kept the small dealers in Boston because they wanted competition, but there hasn't been any competition. The small dealers were making a small profit of about 25 cents a ton, while the Metropolitan Coal Company and other large dealers doing business in Boston, working on a large scale and more economically, were making up to \$1.14 per ton; and at that time the reason given for the existence of the small dealers was that their existence stimulated competition. There is never any stimulation of competition when there is a fixing of prices: when you see that the prices sent out are all the same, and evidently agreed to. The situation, so far as the small dealers is concerned, is that they do not dare to say that their souls are their own, because they depend on the large dealers, who are in communication with the mines. Whenever you ask information from a small dealer, if he states the fact and takes the bull by the horns, he will say, "I cannot give it, because if I give you the information I cannot get my coal from the Metropolitan Coal Company or the other large dealers." I notice that the Boston Telegram says that W. A. Clark, president of the Massachusetts Dealers' Association, is doing his bit to prevent the enactment of the bill extending the life of this commission, and also points out that "The Black Diamond," the organ of the coal men's organization in Philadelphia, is gloating over the fact that the life of the Commission on Necessaries of Life will cease on May 1. There is a bill that has been introduced to continue the commission, and I understand from the press reports that gentlemen like Mr. Leonard of Springfield, who owns three transports and who would be one of the chief beneficiaries—I am quoting the Telegram—of high prices charged on Sun-

days for ice cream, is interested in ending the existence of this commission. The Commission has done some good. It is the only organization in Massachusetts that has the right to summon witnesses and investigate this situation. If we have no fuel commissioner in Boston and nobody to look after the coal dealers generally, we will be in a precarious situation, because without question if there is any raise at the mines because of the fact that the mine operators may give a slight raise to the men who are working there by the sweat of their brows, we will find any raise reflected three or five fold here in prices in Boston. We at least need such a commission, and we need in Boston a fuel administration to look after our interests. There is a bad situation growing out of the strike which, of course, may result in a cut in the wages of the men. They need an increase, there is no doubt about that, but any increase, no matter how slight, we will find reflected three or four fold in Massachusetts, unless we can get some protection. I tried at a previous time, without success, to get the figures. I offered at my own expense to put public accountants on the books of the different coal companies at the time, to show that the increase that they were getting at that time, even against the advice of the Fuel Commission, was an unwarranted one. But, and this is a suspicious circumstance, they never would give me the figures which would show me what the overhead charges were for doing business at that time. I could have shown that the price of \$14.50 charged during the war was unwarranted, and Commissioner Bates, who was following the situation, was of the same opinion; and I charge now that the people of New England and Boston have been subjected to an unjustified additional expense of millions upon millions of dollars in the last few years in increased prices of coal. There is an understanding between the operators in Philadelphia and Pennsylvania and the large dealers here, and whenever the price there is increased even a slight amount per ton by rail we get it reflected immediately in higher prices here. But whenever the price goes down there we do not see the price here going down. Gentlemen, we must look out, must watch. That Commission on Necessaries of Life must continue to exist. If the conspiracy at present to wipe out that commission is successful, we will not have any way to protect ourselves, but will simply have to submit to increases in the price of coal. They did it before, and they will do it again. It has been shown that one of the reasons is that our banking institutions, especially Lee, Higginson & Co. have money invested in these coal companies, particularly the Metropolitan Coal Company. I have tried to be brief, to shorten my remarks, but I simply wish to impress upon your minds the fact that it is imperative that this commission should continue to exist. It is imperative that we should have a fuel commission, in the interest of the City of Boston. We all know that the prices of coal in Boston are too high, and that not only applies to prices of coal but to prices of all the necessaries of life. Unless we watch those people and keep after them all the time, prices will go up and up, instead of down. We must have some proper supervision and regulation in order that our citizens may live properly and decently.

Coun. WATSON.—Mr. President, I have no desire to discontinue the activities of the Commission on Necessaries of Life, in the State of Massachusetts or in Boston, and therefore I shall vote for the resolution, which I feel will, in any event, do no harm. I will say, however, that this commission has been in existence up there for a long time and that I don't see one single thing it has done which has warranted its expense. However, if there is any possibility of its doing some good, by all means continue it, because I think it will do no harm even if it does no good. I remember reading a short time ago in the papers that Mr. Hultman urged people to buy coal. That was some time ago. I was told that that was an honest piece of advice on

his part; but, nevertheless, it was going to aid the Metropolitan Coal Company in disposing of a lot of surplus coal. If we ordered coal at that time it meant that the employees of the Metropolitan Coal Company and of the other big companies would have very little to do this fall, and we would have more unemployment on our hands. But he advised us to buy. I did not buy then. I don't know how many did. Now I understand from the councilor opposite that he is advising the public not to buy. I would like to know from the councilor opposite which advice is good. If the first advice was poor, the advice now may be equally poor. But, as I say, I think it can do no evil to continue the commission, although I fail to see where it has been of any benefit to the Commonwealth in any particular. Referring to a conspiracy existing among these coal dealers, I will be frank in the matter. I think that there is such a conspiracy, and certainly there is just one tribunal that can find out about that conspiracy. There must be laws on our statute books providing for criminal prosecution in such cases. I believe that the place for action is the District Attorney's office. Entirely apart from continuing the commission, if the gentleman opposite has any information to present which would show conspiracy among the coal dealers—and I believe that such a conspiracy can be shown—I believe it is its duty to present these facts immediately to the District Attorney of Suffolk County, letting the prosecution start in now, rather than waiting until this commission is continued by act of the Legislature and is allowed to go ahead in its easy-going, slipshod way. There is a conspiracy, I believe. I cannot prove it, but the gentleman opposite must have some data. In addition to passing the resolve, let us follow the thing up by a resolution calling on the District Attorney of Suffolk County to proceed to ascertain whether or not a conspiracy exists. That is the remedy. There must be some teeth in the law. Let that be done, rather than simply continue the commission. By acting in that way, we may do some good.

The resolutions were passed.

LEGISLATION CONCERNING FIREARMS.

Coun. MORIARTY offered the following:

Resolved, That it is the opinion of the City Council of Boston that the Legislative Committee of the Legislature should adopt strict regulation in relation to the purchase and sale of firearms.

Passed under a suspension of the rule.

PAYMENT TO FATHER OF ROBERT L. SHEEHAN.

Coun. MORIARTY offered an order—That chapter 254 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to the Father of Robert L. Sheehan," be and the same hereby is accepted.

Passed under a suspension of the rule.

WILLIAM J. KELLY SQUARE.

President BRICKLEY offered an order—That the name of Central Park square, East Boston, be changed to William J. Kelly square in memory of said Kelly, who served during the World War, and that said square be suitably designated with signs.

Passed under a suspension of the rule.

ROPING OFF STREETS FOR ROAD RACE.

Coun. GILBODY offered an order—That the City Messenger be requested to rope off Centre street, Jamaica Plain, from Walden street to Sunnyside street, during a road race to be held by the Michael J. O'Connor Post of the American Legion on April 19, from

9.45 to 11.15 a. m., and that the expense of the same be charged to the appropriation for City Council, Incidental Expenses.

Passed under a suspension of the rule.

RESCISSION OF SOUTH BOSTON GYMNASIUM LOAN.

Coun. FORD moved that No. 6 be taken from the table, viz.:

Ordered, That so much of the loan order authorized August 22, 1921, for the purchase of a site and for the erection of building for gymnasium in South Boston, as has not been issued, amounting to \$150,000, be and the same is hereby rescinded.

Ordered, That the loan order for \$118,000 authorized January 31, 1922, for the purchase of a site and for the erection of building for gymnasium in South Boston, be and the same is hereby rescinded.

The order was given its final reading and passed, yeas 7, nays 2, Coun. FORD and MORIARTY voting nay.

LOAN FOR CHRISTOPHER J. LEE PLAYGROUND.

Coun. LANE offered an order—That the sum of \$75,000 be hereby appropriated to be expended under the direction of the Park Department for improvements in the extension of Christopher J. Lee Playground, and that to meet such expense the City Treasurer be authorized to issue from time to time, at the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Coun. LANE—I move a suspension of the rule, Mr. President, that the order may be put upon its passage.

Coun. DONOGHUE—Mr. President, I would like to ask if our object could not be attained by making an amendment to No. 6 on the calendar, in view of the fact that the purpose of rescission provided for in No. 7 is for the specific purpose of clearing the decks for this other matter?

President BRICKLEY—If there is any amendment to No. 6 on the calendar it will have to lie over for two weeks, instead of being passed today.

Coun. FORD—Mr. President, we are all in accord here, but doesn't it come down to this, that Coun. Donoghue's order was the first order introduced, providing \$100,000 for this purpose? To be fair in the whole matter I will simply say that, as far as the councilor on my right (Coun. Moriarty) and myself are concerned, we can take our licking on the South Boston proposition with good grace, as long as it has to come to us. But I really do think that Coun. Donoghue should have the credit of introducing the \$100,000 order for the improvement of the Christopher Lee Playground. I think he ought to be given the opportunity to put it in.

Coun. LANE—Mr. President, personally I shall be very glad to withdraw the order and have Coun. Donoghue put it in. I only put it in with an idea of following out the recommendation of his Honor the Mayor, and I shall be perfectly willing and glad to have Coun. Donoghue offer the order that I have introduced.

President BRICKLEY—Do you want to offer the amendment suggested instead of having the order acted upon as offered, Coun. Donoghue?

Coun. DONOGHUE—I don't care, Mr. President.

Coun. LANE—I simply took this position because the matter came before the Committee on Finance, and the Christopher Lee Playground was stricken out at that time, with the understanding that Coun. Donoghue's order for \$100,000 was before the Mayor. That, however, has been vetoed. I shall be glad to withdraw my order and let Coun. Donoghue put it in.

President BRICKLEY—Does the councilor consent?

Coun. DONOGHUE—I consent.

(The order above offered by Coun. Lane was withdrawn by him, and the order was immediately offered by Coun. Donoghue.)

The question came on suspension of the rule for the passage of the order.

Coun. FORD—Mr. President, is \$75,000 enough money to do the work?

Coun. GILBODY—The \$100,000 was vetoed.

Coun. MORIARTY—Well, the Mayor vetoed it, as appears, on account of the action of the Council, not on the ground of the figure, but because the Council had not acted in accordance with his views.

Coun. GILBODY—Well, Mr. President, the Mayor satisfied me that he was going to give \$75,000 for that appropriation, the Lee Playground, and that that is all he would give.

Coun. FORD—Mr. President, I would suggest as an amendment that the \$75,000 be stricken out and \$100,000 inserted in its place, as I think we ought to have the original \$100,000, because his Honor the Mayor promised us all in his office that he would go ahead with the \$100,000. I don't think we ought to cut the amount down to \$75,000, because I feel that the Mayor, when the \$100,000 was pending before him, would have approved it if it had not been for the desire to rescind the other appropriation. That is, I believe it was not a question of the amount, as between \$75,000 and \$100,000. That is the reason why I would suggest that Coun. Donoghue introduce his original order for \$100,000. I think we ought to get the \$100,000. Hence, I move that \$75,000 be stricken out and \$100,000 be inserted. I think that we will need all of that money, and I would ask Coun. Donoghue to do that. I think we ought to have what we started out with.

Coun. LANE—Mr. President, I think that would be a dangerous thing to do. I think if we did that the Mayor would veto the whole proposition. He has been over the thing pretty carefully, I suppose, with his landscape architect. We saw the plans in the Mayor's office, and he said that \$75,000 was needed. I believe that Coun. Donoghue, when he put in his order for \$100,000, was more or less ignorant about the situation. He had asked about several things in connection with the matter, in regard to what was necessary, but he had not gone into it as carefully as the Mayor had. Therefore I think it would be rather dangerous to increase the amount to \$100,000 now—that there might be danger of losing the whole business.

Coun. FORD—Mr. President, I don't think there is any danger of losing anything. We want M street done. There is no doubt about that. If the Mayor assures us that \$75,000 is enough, very well. I would ask if Coun. Donoghue thinks that \$75,000 will do the work at M street?

Coun. DONOGHUE—I understood the Park Department to say that it would cost in the neighborhood of \$100,000 to complete the playground. His Honor the Mayor in the communication he sent in after I had introduced the order for \$100,000, provided for but \$75,000. If he has information showing that it will require only \$75,000 to make the necessary improvements over there, I would feel, as I suppose the other members of the Council would feel, that that is all the Council should appropriate. I also feel that if we pass an order for \$75,000, as suggested by the Mayor, at this time, if the necessary improvements at the playground are not completed with the \$75,000, his Honor the Mayor will give whatever additional money is necessary in order to complete the playground and put it in proper shape. So I don't think we are doing anything detrimental to those interested in the playground, if we pass the \$75,000 order today. I want to say, while on my feet, that I pointed out to the chairman of the Committee on Finance the fact that if we rescinded this other order today there was no provision for the Christopher Lee Playground, and that, having been brought to his attention, he tried to remedy the situation by introducing the order he did. I don't think there was any attempt to take the order away from me in any way, by such introduction. I

simply want to say that in explanation of what I understood Coun. Lane's position on the matter to be.

Coun. FORD—Yes, Mr. President, I did not think there was any attempt to take away any credit from Coun. Donoghue, who had made a start in the matter; that Coun. Lane's only position was that he wished to see the work started and finished. If it is thought that \$75,000 will do the work, I would not press any amendment to make the amount \$100,000, with the moral understanding among us, however, that if \$75,000 is not enough we will agree to supply whatever it is necessary to supply later. I understand that Coun. Watson and the other members agree to that.

The rule was suspended and the order was given its first reading and passage, yeas 9, nays 0, and will come up for final reading and passage in two weeks.

LEGISLATION CONCERNING THOMAS J. GAVIN.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston favors legislation reinstating Thomas J. Gavin in the service of the City of Boston. Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business Nos. 1 to 3, inclusive, viz.:

Action on appointments submitted by the Mayor April 10, 1922, viz.:

1. Owen W. Duffy and William H. Powderly, to be Constables.
2. Gerald W. Corbett, to be a Weigher of Coal.
3. Thomas F. Coffey and Daniel P. Sheehan, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Watson. Whole number of ballots cast 8, yeas 8, nays 0; and the appointments were confirmed.

TEMPORARY LOAN.

President BRICKLEY called up unfinished business, No. 4, viz.:

4. Ordered, That to provide temporarily money to meet the appropriations for the

financial year 1922-23, the City Treasurer issue and sell, at such times and in such amounts as he may deem best, notes or certificates of indebtedness of the City of Boston not exceeding fourteen million dollars in the total, in anticipation of the revenue of the current municipal year; that all such notes or certificates of indebtedness be dated the day the money for the same is received, be made payable with the interest thereon within one year of their date from the revenue of the year 1922, and bear interest from their date until the same are made payable at such rate as the City Auditor, the City Treasurer and the Mayor may determine.

On April 3, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 9, nays 0.

LOAN FOR PLAYGROUND IMPROVEMENTS.

President BRICKLEY called up unfinished business No. 5, viz.:

5. Ordered, That the sum of \$200,000 be appropriated to be expended by the Park Commissioners for the following, and that to meet said appropriations the City Treasurer be and hereby is authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

Christopher Gibson Playground, Improvements	\$50,000
Eagle Hill Playground, Improvements.....	50,000
North End Park, Improvements.....	75,000
Allston Playground, Improvements.....	25,000

On April 3, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 9, nays 0.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.22 p. m., on motion of Coun. MORIARTY, to meet on Monday, April 24, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, April 24, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Lane.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Thirty-nine traverse jurors, Superior Civil Court, First Session, April Sitting, to appear May 15, 1922:

George F. Baldwin, Ward 2; Edward L. Kelleher, Ward 3; William H. Vaughn, Ward 3; James F. McInness, Ward 4; Leonard Canney, Ward 5; John Donnarumma, Ward 5; Ernest B. Foster, Ward 7; Lester D. Hurd, Ward 7; William A. McCarthy, Ward 7; Frank T. McCurdy, Ward 7; William W. Bradford, Ward 8; A. Lincoln Filene, Ward 8; Lawrence D. Jenkins, Ward 8; William M. Rae, Ward 8; Arthur C. Pope, Ward 9; Frank J. Schell, Ward 9; Charles Krauss, Ward 10; William M. Finneran, Ward 12; Thomas J. Monahan, Ward 12; Michael F. Quinn, Ward 12; Cornelius C. Shea, Ward 12; Patrick F. J. Callahan, Ward 13; James L. Walleston, Ward 15; Robert F. Waul, Ward 15; David P. Carey, Ward 16; Joseph D. Champian, Ward 16; Eugene McSweeney, Ward 16; Frederick Savage, Ward 17; Abraham B. Cohen, Ward 19; William S. Brittain, Ward 19; John W. Martis, Ward 21; George F. McCarty, Ward 21; William Robinson, Ward 21; Frederick R. Cronin, Ward 23; Alfred E. Oberlander, Ward 23; Morton E. Setchell, Ward 23; Stanley Summer, Ward 25; James Foley, Ward 26; Edmund Rice, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Second Session, April Sitting, to appear May 15, 1922:

Edward Dunn, Ward 1; Cornelius S. Cannon, Ward 2; George C. Kenny, Ward 3; John Sullivan, Ward 6; Charles M. Fauci, Ward 7; Joseph A. Woodward, Ward 7; Charles Devlin, Ward 9; Francis A. Gottwald, Ward 9; Timothy J. Moynihan, Ward 9; Michael J. Burns, Ward 10; George W. Crossman, Ward 10; Richard H. Scott, Ward 10; Patrick Callahan, Ward 11; William F. Sargent, Ward 12; Roscoe A. Atwood, Ward 13; Alexander McCann, Ward 13; Edward E. Devlin, Jr., Ward 14; Stephen A. Goode, Ward 14; Jonas Huber, Ward 14; Andrew J. Keating, Ward 15; Henry F. W. Schrepel, Ward 15; Mendel Shohan, Ward 15; Frank S. Pruett, Ward 16; Solomon Grishaver, Ward 17; James M. Green, Jr., Ward 17; George Cunningham, Ward 18; George F. Lawton, Ward 18; David Barron, Ward 21; Thomas F. Kinsella, Ward 21; Theodore Barnes, Ward 22; Robert W. Robinson, Ward 22; Anton D. Rehling, Ward 23; Vinal E. Bennett, Ward 25; James E. McLaughlin, Ward 25; Chester S. Morrison, Ward 25; James P. Breslin, Ward 26; Bernard A. McGinty, Ward 26; Lewis S. Morrissey, Ward 26; Edward J. Mulvaney, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Third Session, April Sitting, to appear May 15, 1922:

Frank J. Cozzo, Ward 2; Michael O'Leary, Ward 2; William J. McNeley, Ward 3; Arthur F. Herlihy, Ward 4; Charles J. Schena, Ward 4; Joseph F. Chandler, Ward 5; Young Jung Wong, Ward 5; Louis Rosenberg, Ward 6; Eugene D. Callahan, Ward 7; Frederick W.

Hartley, Ward 7; John P. Parker, Ward 8; Michael Kennedy, Ward 9; George A. O'Connor, Ward 9; Edward Connolly, Ward 10; Daniel J. Chisholm, Ward 11; John P. Courtney, Ward 11; James E. Daly, Ward 11; Godfroid Charron, Ward 12; Jeremiah S. Cadigan, Ward 14; William C. Flock, Ward 14; Josef C. Mueller, Ward 15; Daniel Schnabel, Ward 15; Walter A. Clement, Ward 16; John J. Hennessey, Ward 16; Louis Kuposky, Ward 16; Abraham H. Radlo, Ward 16; Lewis B. Snow, Ward 16; John E. Stewart, Ward 16; James J. Boyd, Ward 17; Michael D. Gallant, Ward 18; Howard A. Hayward, Ward 18; Patrick Jennings, Ward 18; Frederick N. Rae, Ward 19; Clarence W. Stevens, Ward 19; Bertram E. Thurston, Ward 21; Walter F. Neale, Ward 22; John F. Pompel, Ward 22; Henry Boone, Ward 23; Frank B. Francy, Ward 23.

Thirty-nine traverse jurors, Superior Civil Court, Fifth Session, April Sitting, to appear May 15, 1922:

E. Roy Baum, Ward 1; David R. Cunningham, Ward 1; Robert Fareoli, Ward 2; Joseph C. McCarthy, Ward 3; Giovanni Bernardi, Ward 5; John Edward Chipman, Ward 5; Peter Dentony, Ward 5; Patrick Landirs, Ward 5; James J. Croxon, Ward 8; George R. Fearing, Jr., Ward 8; Arthur Robbins, Ward 8; Francis A. Hamilton, Ward 9; Daniel J. Foley, Ward 10; Michael A. Lally, Ward 10; Thomas J. Boyle, Ward 11; Thomas A. O'Neil, Ward 11; Adoniram J. Stanley, Ward 12; Joseph N. Cushing, Ward 13; Joseph C. Handwerk, Ward 15; Samuel H. Cohen, Ward 16; Robert Herzberg, Ward 16; Thomas Devine, Ward 17; John T. Lorden, Ward 17; Leopold Basch, Ward 19; Hyman Cohen, Ward 19; Abraham Shocket, Ward 19; Peter F. Brennock, Ward 20; Timothy Connell, Ward 20; Patrick F. Gilrain, Ward 20; Rufus S. Chaffer, Ward 21; William J. Morrow, Ward 23; Arthur G. Morris, Ward 23; William M. Osborne, Ward 23; Edward F. Eckert, Jr., Ward 24; Charles H. Galligan, Ward 24; Alfred P. Hamilton, Ward 25; Davil Paul, Ward 26; James H. Sullivan, Ward 26; Walter J. Walker, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Sixth Session, April Sitting, to appear May 15, 1922:

John Joseph Curran, Ward 1; Edward S. Haskell, Ward 1; John C. McColgan, Ward 2; Patrick F. Ryan, Ward 3; David Cahill, Ward 4; Alphonse Calabrese, Ward 5; Julius Hurwitz, Ward 5; Charles H. Lucey, Ward 5; Nicholas Premolla, Ward 5; James Lyman, Ward 6; Alfred P. Fisher, Ward 7; Charles P. Simmons, Ward 7; B. Harry Locke, Ward 9; Edward J. O'Brien, Ward 10; Clement V. Picavet, Ward 10; William T. Wood, Ward 11; Carl E. Brown, Ward 13; Leo W. Bieler, Ward 15; Charles J. Henrikus, Ward 15; Francis M. Huddy, Ward 15; Joseph F. McMullen, Ward 15; Wallace L. Strong, Ward 15; William C. Eichorn, Ward 16; William L. Malone, Ward 17; William A. Danforth, Ward 18; William M. Hart, Ward 18; J. William Glass, Ward 19; Walter J. Edson, Ward 20; Albert J. Pabst, Ward 20; Charles P. Tighe, Ward 20; Harry W. Bowman, Ward 21; Hjalmar Sanden, Ward 21; Morris Weiner, Ward 21; James F. Bigelow, Ward 22; William J. Charlton, Ward 22; Duncan Finlayson, Ward 22; Eugene McCarthy, Ward 23; Waverley T. Wonson, Ward 23; Joseph W. Parker, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Seventh Session, April Sitting, to appear May 15, 1922:

Joseph H. McCarthy, Ward 1; Thomas F. Cullen, Ward 2; Ernest L. Saunders, Ward 2; William Jones, Ward 3; Simon Goldberg, Ward 5; Laughlin J. Gillis, Ward 6; William Tully, Ward 6; Louis J. Block, Ward 8; Paul D. Rust, Ward 8; Stephen W. Sleeper, Ward 8; Cornelius Bradley, Ward 9; Peter F. Conley, Ward 9; William J. Pratt, Ward 9; Timothy F. Cauley, Ward 10; George F. Donahue, Ward 10; Patrick F. Foley, Ward 10; William G. MacCormick, Ward 10; John

McDonald, Ward 11; Albert N. Cutter, Ward 12; Cornelius F. Finigan, Ward 12; Timothy McCarthy, Ward 12; Charles F. Von Euw, Jr., Ward 14; Fred E. Brooks, Ward 15; Ike Bernstein, Ward 16; Frederick A. Donnelly, Ward 16; Patrick A. Brown, Ward 18; Harry Gurhan, Ward 18; Israel Alexander, Ward 19; Louis Israel, Ward 19; John Adamson, Ward 22; James S. Cose, Ward 22; Thomas H. Finigan, Ward 22; John R. McLaughlin, Ward 23; Robert J. Burns, Ward 24; Kenneth A. MacLeod, Ward 24; William F. Mulhern, Ward 24; Godfrey P. O'Buchon, Ward 24; Stephen J. Moran, Ward 25; Frank B. Wilde, Ward 25.

Thirty-nine traverse jurors, Superior Civil Court, Eighth Session, April Sitting, to appear May 15, 1922:

Robert Goodman, Ward 1; Gilbert W. Carpenter, Ward 2; Patrick Considine, Ward 3; Patrick S. Murray, Ward 4; Maurice Carlin, Ward 5; Guisepppe Orlandella, Ward 5; John C. Roche, Ward 5; Frank J. Danahy, Ward 6; Thomas S. Lloyd, Ward 6; George E. Carr, Ward 7; Crandall W. Forbes, Ward 7; Frederick M. Nadeau, Ward 7; Henry Robson Jewett, Ward 8; Joseph W. Vinal, Ward 8; Jeremiah E. Connell, Ward 9; John A. Driscoll, Ward 9; Jacob Holub, Ward 10; Henry A. King, Ward 10; Samuel Whitehead, Jr., Ward 10; Michael J. A. Cady, Ward 11; Martin F. Hogan, Ward 11; Mathias Kraemer, Ward 11; John J. Monahan, Ward 12; John J. Murphy, Ward 13; Felix J. Riley, Ward 13; Charles H. Shattuck, Ward 13; William A. Brownrigg, Ward 14; Joseph G. Mackenzie, Ward 14; William O. Nickerson, Ward 14; Patrick Keegan, Ward 15; James A. Lambert, Ward 15; Edwin W. Burns, Ward 16; Edmund J. McDermott, Ward 16; Alexander Feinstein, Ward 19; Henry M. Sanders, Ward 19; John A. Mitchell, Ward 21; Samuel Swartz, Ward 21; Edward W. Frye, Ward 22; James Young, Ward 26.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

(1) Constables of the City of Boston, for the term ending April 30, 1923: John J. Murray, 13 Anson street, Jamaica Plain; Martin F. Cavanagh, 217 Eustis street, Boston; Hyman Shapiro, 39 Hansborough street, Boston; Joseph E. Ferreira, 224 West Fifth street, South Boston; James J. Delancy, 19 Hewins street, Boston; Louis A. Tanner, 65 Ferrin street, Boston.

(2) Thomas J. Hubbard, 23 Radcliffe road, Somerville, to be a Weigher of Boilers and Heavy Machinery.

Laid over under the law.

VETO—BRITAIN SQUARE.

The following was received:

City of Boston,
Office of the Mayor, April 20, 1922.
To the City Council:

Gentlemen,—I am returning herewith without my signature the order passed by your honorable body on April 17 transferring William J. Britain Square from the junction of Geneva avenue and Bloomfield street to the junction of Algonquin, Bradley and Washington streets.

I am returning the order at the request of Councilor Ford who introduced it.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—PAYMENT TO MRS. MAURICE O'BRIEN.

The following was received:

City of Boston,
Office of the Mayor, April 18, 1922.
To the City Council:

Gentlemen,—I return herewith, without my signature, the order passed by your honorable

body on March 27, providing for the payment of the maximum amount determined upon by the Law Department in cases of this character, for the reason that, in the opinion of the Law Department, there is no legal liability on the part of the City of Boston and the testimony of the officials of the Fire Department sets forth that the death of Maurice O'Brien cannot reasonably be charged to the carelessness of the men operating the fire apparatus.

I am extremely desirous of aiding the widow of Mr. O'Brien, but I believe that a sum might be determined upon by your honorable body that would be more equitable so far as the city is concerned and that would not represent the maximum determined upon.

Respectfully,
JAMES M. CURLEY, Mayor.

Referred to the Executive Committee.

RELEASE OF CITY'S RIGHTS, GATELY STREET.

The following was received:

City of Boston,
Office of the Mayor, April 22, 1922.
To the City Council:

Gentlemen,—I am transmitting herewith a communication from the Law Department relative to the release of the city's rights to sewer in Gately street, Dorchester, and respectfully recommend the passage of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, April 10, 1922.
Hon. James M. Curley,
Mayor of Boston:

My dear Sir,—I inclose herewith an order to be passed by the City Council authorizing the release to the Roman Catholic Archbishop of all the right, title and interest of the city, if any it has, in and to the fee and soil of a private way called Gately street and in the sewer constructed in said street by Edward Gately about the year 1900. This matter was delayed somewhat pending the consideration by Father Daly and his contractor as to the plans and they now desire that the matter be completed in accordance with their original request. Please present this to the City Council at its next meeting and I am subject to your order in this matter. When the order is duly passed I shall immediately prepare the release and see to its delivery to Father Daly.

Yours very truly,
CHARLES FRANK DAY,
City Conveyancer.

Ordered, That his Honor the Mayor be and he is authorized and empowered in the name and behalf of the city and for a nominal consideration to release and quitclaim unto the Roman Catholic Archbishop of Boston, a corporation sole, all the right, title and interest of the city, if any it has in and to the fee and soil of a private way called Gately street, leading easterly from Samoset street in the Dorchester district of said city, and in and to the sewer in said Gately street, which sewer was built in or about the year 1900 by and at the expense of Edward Gately and was released by him to the city by an unrecorded instrument dated and acknowledged August 15, 1900, and on file in the office of the Commissioner of Public Works of said city.

Referred to the Executive Committee.

SEMI-MONTHLY PAYMENT, SOLDIERS' RELIEF.

The following was received:

City of Boston,
Office of the Mayor, April 22, 1922.
To the City Council:
Gentlemen,—I am transmitting herewith a report from the Soldiers' Relief Commissioner,

which is a reply to your order of the 3d instant, relative to paying relief to soldiers and sailors and their families in the City of Boston twice a month, instead of once a month as is now the custom.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Soldiers' Relief Department, April 7, 1922.
 Hon. James M. Curley,
 Mayor of Boston:

Sir,—I have the honor to make the following report, with reference to the order of the City Council, dated April 3, 1922, that the Commissioner of Soldiers' Relief be requested to pay relief to soldiers and sailors and their families in the city of Boston twice a month, instead of once a month as is now the custom:

The Soldiers' Relief Department is prepared to establish a system of payments patterned after that followed by the Overseers of the Poor of the City of Boston. This system embraces the following features:

1. Preparation of pay rolls on the pay days, using registration numbers instead of the names of the men.
2. Daily drafts upon the treasurer to cover the amounts required.
3. Accounting for the sums expended twice a month, or as ordered by the City Auditor.

At present, the payments to veterans of the World War cover three pay days, and the pay room is located in the basement of City Hall. Under the new plan the payments to the World War veterans will be distributed over five days, and the men will be paid in the office of the Department, in Room 60, City Hall. The change of the pay room will necessitate extended use of the elevators, and very probably the Superintendent of Public Buildings should be consulted.

It is the experience of the department that the beneficiaries drawing relief because of service in the Civil War do not desire payments twice a month, and for them it would be well to adhere to the old plan of paying them once a month in the pay room in the basement of City Hall. It has been found that they are very well satisfied with the old plan and that many of them experience great difficulty in the use of the elevators. With reference to them, however, the department is prepared to establish payments by check to be sent out through the mail, although this plan has been kept in abeyance partly due to the fact that it is felt that most of the Civil War beneficiaries take pleasure in coming to City Hall once a month, and this they will miss under the proposed plan of payments by check.

Subject to your approval, and by arrangement with the City Auditor and the City Treasurer, this department is ready to proceed immediately to make arrangements necessary for changing over the system.

Respectfully,
 HENRY C. MCKENNA,
 Soldiers' Relief Commissioner.

Placed on file.

BALLFIELD, OLMSTED PARK.

The following was received:
 City of Boston,
 Office of the Mayor, April 22, 1922.

To the City Council:
 Gentlemen,—I am transmitting herewith a communication from the chairman of the Board of Park Commissioners which is a reply to your order of March 27, 1922, relative to improving the condition of the ballfield at Olmsted Park.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Park Department, April 20, 1922.
 Hon. James M. Curley,
 Mayor of Boston:

Dear Sir,—The City Council passed an order on March 27 asking your Honor to request the Park Department to improve the condition of the ballfield at Olmsted Park. The work on

this improvement will commence within a week. Up to the present time it has been impossible to do any work on the ground by reason of the wet weather.

Very truly yours,
 JAMES B. SHEA,
 Chairman.

Placed on file.

APPROPRIATION, RENT AND HOUSING COMMITTEE.

The following was received:
 City of Boston,
 Office of the Mayor, April 24, 1922.

To the City Council:
 Gentlemen,—The appropriations for the Rent and Housing Committee are practically exhausted, and as the committee still receive a large number of new cases each day, I think the work should be continued for at least three months more. I therefore respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

Ordered, That the Committee on Rent and Housing be and hereby is authorized to expend, under the direction of the Mayor, an additional sum of \$1,500, said amount to be charged to the Reserve Fund.

Referred to the Executive Committee.

APPROPRIATION ORDERS.

The following was received:
 City of Boston,
 Office of the Mayor, April 24, 1922.

To the City Council:
 Gentlemen,—I beg to submit herewith appropriation orders for the Overseers of Public Welfare Department in the amount of \$975,000 and the Soldiers' Relief Department in the amount of \$1,100,000.

Immediate action is necessary upon these two orders for the reason that the one third of the annual appropriation which departments, under the law, are permitted to expend in anticipation of taxes is very nearly exhausted, due, in large measure, to the demand resulting from industrial and commercial depression.

I accordingly recommend the adoption of the accompanying orders.

Respectfully,
 JAMES M. CURLEY, Mayor.

APPROPRIATION ORDER FOR THE CITY OF BOSTON.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year upon the City of Boston, or the departments or officers thereof, the respective sums of money specified in the tables hereinafter set forth and the same are hereby appropriated to be expended for the objects and purposes herein-after stated, that the same be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereon apply to the taxes herein provided for.

Overseeing of the Public Welfare Department.	
F. Special Items	\$975,000 00
9. Care of dependents	\$350,000 00
10. Mothers' aid	625,000 00

Soldiers' Relief Department.

F. Special Items	\$1,100,000 00
8. State and military aid, soldiers' relief and burials	\$1,100,000 00

Referred to the Committee on Appropriations.

APPROPRIATION BILL.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1922.
To the City Council:
Gentlemen.—I beg to submit herewith the budget for the year 1922-23, in full segregated form, in substitution for the budget submitted on February 27, 1922.

I believe it my duty to direct the attention of your honorable body to the fact that the total amount available for reconstructing and repairing streets is but \$1,000,000, despite the fact that an expenditure of \$5,000,000 for

this purpose annually would not be excessive and is actually necessary, not for one year, but for a ten-year period, in order to provide streets suitable for public travel.

The problem of adequate highways has been met in other sections of our country by the issuance of loans and, apparently, some day the public may realize that, distasteful as this course may be, it is the only rational method of meeting a situation annually becoming more unbearable.

I respectfully recommend the early adoption of the budget.

Respectfully,
JAMES M. CURLEY, Mayor.

ESTIMATED EXPENDITURES AND AMOUNTS ALLOWED, 1922-23.

	Estimated.	Allowed.
Art Department	\$4,570 00	\$3,120 00
Assessing Department	243,623 50	242,297 11
Auditing Department	61,290 09	64,226 76
Boston Sanatorium	401,420 00	376,069 10
Budget Department	7,161 70	7,367 00
Building Department	195,689 85	194,004 02
Board of Examiners.....	4,832 00	4,757 00
Board of Appeal.....	5,070 00	5,070 00
City Clerk Department.....	49,827 52	49,763 00
City Council	37,640 00	37,640 00
City Council Proceedings.....	10,250 00	10,250 00
City Documents	43,000 00	41,000 00
City Planning Board.....	7,305 64	7,072 56
Collecting Department	152,256 80	149,551 65
Election Department	211,831 14	212,788 80
Finance Commission	40,000 00	40,000 00
Fire Department	3,594,438 13	3,327,800 54
Wire Division	95,103 16	88,827 36
Health Department	570,684 88	490,411 40
Hospital Department	1,248,502 00	1,240,008 14
Institutions Department:		
Central Office	62,097 19	61,181 36
Boston Almshouse and Hospital.....	400,483 77	377,055 88
Child Welfare Division.....	180,848 68	178,799 00
Steamers "Monitor" and "George A. Hibbard".....	69,262 92	64,487 00
Suffolk School for Boys.....	1,100 00	2,375 00
Law Department	59,702 00	57,534 15
Library Department	828,426 00	741,993 00
Licensing Board	36,481 80	35,668 00
Market Department	15,418 24	16,067 67
Mayor, Office Expenses.....	71,290 72	71,290 72
Public Celebrations	55,000 00	55,000 00
Conventions, etc.	20,000 00	20,000 00
Overseeing of the Public Welfare Department.....	1,173,711 02	68,496 45
Temporary Home	7,366 00	7,002 00
Wayfarers' Lodge	15,074 47	13,665 00
Park Department	1,351,417 87	1,253,270 12
Cemetery Division	129,189 34	120,995 78
Police Department	4,248,221 00	4,165,411 00
Public Buildings Department.....	467,252 57	435,441 10
Public Works Department:		
Central Office	95,147 88	95,997 88
Bridge Service	436,187 49	418,977 34
Ferry Service	524,256 99	497,937 00
Lighting Service	741,827 08	736,777 08
Paving Service	1,299,591 00	1,194,212 95
Sanitary Service	1,791,815 92	1,748,998 96
Street Cleaning and Oiling Service.....	933,495 00	922,974 04
Sewer Service	604,105 73	574,843 92
Registry Department	47,689 00	47,088 23
Reserve Fund	500,000 00	500,000 00
Sinking Funds Department.....	2,850 00	2,625 00
Soldiers' Relief Department.....	1,455,107 31	52,252 89
Statistics Department	10,535 08	8,607 67
Street Laying-Out Department.....	164,690 28	161,384 54
Supply Department	47,152 93	42,920 26
Treasury Department	57,996 16	56,650 00
Weights and Measures Department.....	36,314 33	35,757 92
Bridges, repairs, etc	98,500 00	86,000 00
Granolithic Sidewalks	50,000 00	50,000 00
Reconstructing and repairing streets by contract.....	750,000 00	750,000 00
Street improvements	250,000 00	250,000 00
	<u>\$26,074,101 18</u>	<u>\$22,571,763 35</u>
City Debt requirements.....	\$5,743,393 79	\$5,743,393 79
Jail	\$163,724 66	\$158,579 67
Suffolk County Courthouse, Custodian.....	122 636 70	122,621 36
Suffolk County Courthouse, County Buildings.....	63 937 00	65,147 00
County Buildings	6 663 85	62,024 84
Supreme Judicial Court.....	58,506 25	55,487 75
Superior Court, Civil Session, General Expenses.....	475,271 00	475,271 00
Superior Court, Civil Session, Clerk's Office.....	127,562 03	124,040 89
Superior Court, Criminal Session.....	378,085 76	357,534 07

Probate Court	21,020 00	20,820 00
Municipal Court	327,575 20	318,218 01
Municipal Court, Charlestown District.....	25,926 50	25,794 90
East Boston District Court.....	23,930 40	23,871 40
Municipal Court, South Boston District.....	21,113 87	21,129 91
Municipal Court, Dorchester District.....	19,378 20	19,378 20
Municipal Court, Roxbury District.....	51,460 54	50,621 58
Municipal Court, West Roxbury District.....	17,730 68	17,675 68
Municipal Court, Brighton District.....	12,071 00	12,049 35
Boston Juvenile Court.....	24,419 86	23,588 91
District Court of Chelsea.....	20,990 90	20,460 80
Registry of Deeds.....	118,779 92	108,926 53
Index Commissioners	16,189 00	15,350 00
Insanity Cases	24,050 00	24,050 00
Land Court	5,175 00	4,800 00
Medical Examiner, Northern District.....	20,979 00	20,638 00
Medical Examiner, Southern District.....	13,076 66	12,731 78
Associate Medical Examiner, Northern District.....	1,953 00	1,898 00
Associate Medical Examiner, Southern District.....	1,953 00	1,898 00
Miscellaneous Expenses:		
Auditing Department	1,030 00	1,030 00
Collecting Department	1,170 00	1,170 00
Treasury Department	5,460 00	5,350 00
Sheriff	3,200 00	3,200 00
Granite Avenue Bridge.....	2,869 28	2,839 28
Social Law Library.....	1,000 00	1,000 00
House of Correction.....	207,678 98	203,553 30
	<u>\$2,457,668 24</u>	<u>\$2,382,750 21</u>
County Debt Requirements.....	\$150,466 50	\$150,466 50
Printing Department	\$365,200 00	\$369,016 84
<i>City Record</i> , Publication of.....	<u>\$23,837 56</u>	<u>\$23,937 25</u>
Public Works Department, Water Service.....	\$1,258,571 59	\$1,290,715 91
Collecting Department, Water Division.....	38,429 32	38,396 12
Water Service, Debt Requirements.....	50,449 00	50,449 00
	<u>\$1,347,449 91</u>	<u>\$1,379,561 03</u>

RECAPITULATION OF APPROPRIATIONS RECOMMENDED BY THE MAYOR FOR 1922-23.

From Taxes:		
For city purposes within the tax limit.....	\$22,571,763 35	
City debt requirements.....	5,743,393 79	
		<u>\$28,315,157 14</u>
County of Suffolk:		
General purposes	\$2,382,750 21	
Debt requirements	150,466 50	
		<u>2,533,216 71</u>
City and County total.....		<u>\$30,848,373 85</u>
From Revenue:		
Printing Department		369,016 84
<i>City Record</i> , publication of.....		23,937 25
Public Works Department, Water Service.....	\$1,290,715 91	
Collecting Department, Water Division.....	38,396 12	
Water Service, debt requirements.....	50,449 00	
		<u>1,379,561 03</u>
Grand total		<u>\$32,620,888 97</u>

BASIS OF ESTIMATE.
1921-22.

Average valuation \$1,526,365,954.67.		
\$11 on the thousand brings.....		\$16,790,025 50
Estimated income and cash in treasury.....		9,001,250 61
Amount available for appropriations inside tax limit.....		<u>\$25,791,276 11</u>
Average valuation \$1,557,388,410.46.		
\$12.25 on the thousand brings.....		\$19,078,008 02
Estimated income and cash in treasury.....		6,377,583 57
Amount available for appropriations inside tax limit.....		<u>\$25,455,591 59</u>

WAYS AND MEANS OTHER THAN TAXES.
1922-23.

An estimate of the ways and means, other than taxes, of meeting the expenditures of the City of Boston and County of Suffolk for the financial year 1922-1923.

Boston Sanatorium	\$73,000 00
Building Department	28,000 00
City Clerk Department	16,000 00
Collecting Department	40,000 00
Collecting Bank Tax	14,000 00
Fire Department	50,000 00

Health Department	16,000 00
Hospital Department	188,000 00
Institutions:	
Infirmary Division	7,000 00
Child Welfare Division	5,000 00
Interest	500,000 00
Library Department	10,000 00
Licensing Board	25,000 00
Market Department	147,800 00
Mayor	40,000 00
Overseeing of the Public Welfare Department	228,300 00
Park Department	56,100 00

Peddlers' Licenses	2,500 00
Police Department	44,000 00
Public Buildings Department	17,000 00
Public Works Department	264,250 00
Registry Department	11,100 00
Soldiers' Relief Department	87,900 00
Street Laying-Out Department	40,000 00
Weights and Measures Department	12,000 00
County of Suffolk	315,500 00
Corporation Tax	2,000,000 00
Street Railway Tax	100,000 00
	<hr/>
	\$4,338,450 00
Available cash in treasury Jan- uary 31, 1922	2,039,133 57
	<hr/>
	\$6,377,583 57

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1922-23.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or the County of Suffolk, or the departments or officers thereof, and to meet their respective obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriations for Water Service, current expenses, and the payment to the state under the provisions of chapter 488 of the Acts of 1895, and acts in addition or amendment thereto, and for the interest and debt requirements for loans issued for water purposes, be met by the income of said works and any excess over income from taxes; that the appropriation for Printing Department be met by the department income and any excess over income from taxes; that the appropriation for *City Record* be met by the income of the publication and any excess over income from taxes; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on January 31, 1922, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year, beginning February 1, 1922, and taxes to the amount of \$24,470,790.28, and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and all taxes assessed for meeting the city's proportion of the state tax of the year 1922, or of any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth day of October, 1922; that interest shall be charged on all taxes remaining unpaid after the first day of November, 1922, in accordance with the provisions of chapter 460 of the Acts of 1920, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of twelve per cent per annum from the fifteenth day of October, 1922, until paid; and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or by transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set

down as appropriated for such specific purpose or item; and except as aforesaid, no salaries or wages shall be paid in excess of the rates specified in said tables and schedules. Referred to the Committee on Appropriations.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Eunice E. Belyea, for compensation for injuries caused by a fall on sidewalk at 2218 Washington street.

Bushway Ice Cream Company, for compensation for damage to horse by a defect in Ruggles street, near Columbus avenue.

Jacob Hyman, for compensation for damage to clothing and for injuries received from a fall on sidewalk at 58 Bicknell street.

Catherine H. Keane, for the construction of a retaining wall at 512 Centre street, Jamaica Plain.

Freda Miller, for compensation for injuries caused by a water shut-off in sidewalk on the Howland street side of 34 Elm Hill avenue.

John E. Kiernan, for compensation for damages at 292 Bremen street, caused by overflow of sewers in June, 1921.

Leo Manconi, for compensation for injuries caused by fire apparatus.

Albert W. Richardson, to be reimbursed for expense incurred on account of leak in water main at 4 Washington street.

W. & A. Walker, Inc., for refund of amount of tax for 1919, paid twice.

Mrs. Addie C. Hendry, for compensation for damage to coat by projecting nail in front of 21 and 23 Winter street.

Executive.

Petitions for licenses to sell, rent or lease firearms, as follows:

Placido Amaru, 5 Prince street, Ward 5.
Moses Bahn, 66 Merrimac street, Ward 5.
Berkeley Loan Company, 489 Tremont street, Ward 7.

H. Angus Connors, 88 Massachusetts avenue, Ward 8.

Simon Freedman, 64 Salem street, Ward 5.
Glodt & Sisson, 78 Dover street, Ward 6.

Harry Goodman, 1226 Washington street, Ward 6.

Juliette Kadets, 215 Broadway, Ward 5.
Kirkwood Brothers, Inc., 23 Elm street, Ward 5.

Max H. Lefkovich, 176 Broadway, Ward 5.
James Macdonald, 21 Cornhill, Ward 5.

C. E. Ransom & Co., 1 Salem street, Ward 5.
Saul A. Rich, 67 Eliot street, Ward 5.

Richardson Drug Company, 645 Atlantic avenue, Ward 5.

Max Rosenberg, 144 Northampton street, Ward 13.

Shawmut Loan Company, 151 Broadway, Ward 8.

Bob Smith, 75 Federal street, Ward 5.
Hyman W. Starr, 401 Columbus avenue, Ward 7.

Samuel Starr, 193 Broadway, Ward 5.
Tosi Music Company, 263 Hanover street, Ward 5.

Vara Brothers, 3 Prince street, Ward 5.
The Winchester Stores, 45 Summer street, Ward 5.

The Winchester Stores, 148 Tremont street, Ward 5.

Winchester-Read Store, 364 Washington street, Ward 5.

Petitions for permits for children under 15 years of age to appear at various places of amusement, viz.:

Lillian Kearney, Pere Marquette Hall, April 28.

Margaret J. Butler, Meehan's Building, May 6.

James H. Brennan *et al.*, for disapproval of granting gasoline permit at Beach street, Charlestown.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of approval of the following appointments of the Mayor, viz.:

Rev. Arthur T. Connolly, Library Trustee.
John J. Barry, Trustee of the Boston Sanatorium.

Margaret J. Gookin, Overseer of the Public Welfare.

James H. Stone, Overseer of the Public Welfare.

Henry S. Rowen, M. D., Trustee of the City Hospital.

John J. Walsh, City Planning Board.

Placed on file.

APPOINTMENT BY THE MAYOR.

Notice was received from the Mayor of the appointment of Henry Forbes Bigelow as Art Commissioner, a certified copy of the same having been filed with the Civil Service Commission.

Placed on file.

STORAGE OF GASOLENE.

Notice was received from the Street Commissioners of applications for permits to store and sell gasolene, stating that hearings will be held on same on Monday, May 8.

Placed on file.

NOTICES OF INTEREST.

Notice was received from the following of interest in city work (said notice being in accordance with law), viz.:

Myron P. Lewis, Park Commissioner, merchandise for city departments.

Maginn's & Walsh, Art Commissioner and member of the Board of Appeal, respectively, construction of Thorndike Memorial Building.

Placed on file.

SIDEWALK SCHEDULE.

A communication was received from the Commissioner of Public Works submitting the cost of constructing Orchard street, Ward 22, the amount being \$1,683.69—recommending the passage of the following:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sums set against their respective names as their proportionate part of the cost of constructing sidewalks on Orchard street, Ward 22, and the same is ordered certified and notice given to the parties aforesaid.

The order was passed.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for fifteen newsboys and nine vendors—recommending the licenses be granted.

Reports accepted; licenses granted on the usual conditions.

CHANGES IN ELEVATED, FOREST HILLS.

Notice was received from the Department of Public Utilities of approval of changes in elevated railway south of Forest Hills.

Placed on file.

REGULATION OF ROLLER SKATING.

A communication was received from the Jamaica Plain Tuesday Club asking for the regulation of roller skating on sidewalks.

Referred to the Committee on Ordinances.

CLERK HIRE.

A communication was received from W. T. A. Fitzgerald, Register of Deeds, in accordance with law, certifying that certain persons had been employed in his office from March 27 to April 24, and that work had been performed to the amount of \$7,299.64.

Approved and ordered paid.

SULLIVAN PLAYGROUND.

Coun. WATSON offered an order—That the Park Commissioners be requested, through his Honor the Mayor, to change the name of the Fellows Street Playground to James M. and John J. Sullivan Playground, in memory of said men, brothers, who died in the service of the United States during the World War, and that said playground be suitably designated by signs.

Coun. WATSON—Mr. President, I would state that that is a joint name, in memory of two boys of a widowed mother, who made the supreme sacrifice. I move a suspension of the rule for the passage of the order.

The rule was suspended and the order was passed.

LEGISLATION FOR JOSEPH W. MURRAY.

Coun. WATSON for President BRICKLEY offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Joseph W. Murray as a member of the Fire Department of the City of Boston.

Passed under a suspension of the rule.

SIDEWALK, WENSLEY STREET.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Wensley street, Ward 14, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Acts of 1917.

Passed under a suspension of the rule.

BENEDETTO VIOLA SQUARE.

Coun. WALSH offered an order—That the open space at the junction of Union and Winship streets, Brighton, be named Benedetto Viola square, in memory of Benedetto Viola who died in the service of the United States in the World War.

Passed under a suspension of the rule.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of May, 1922.

Report accepted; order passed.

EIGHTH ASSISTANT CLERK.

Coun. FORD offered an order—That chapter 309 of the Acts of 1922 entitled "An Act Providing for an Eighth Assistant Clerk of the Municipal Court of the City of Boston, for Civil Business," be and the same hereby is accepted.

Passed under a suspension of the rule.

OPENING OF HYDE PARK GYMNASIUM.

Coun. FORD offered an order—That the Superintendent of Public Buildings be requested, through his Honor the Mayor, to open the gymnasium in the Hyde Park Municipal Building for the use of the public at once.

Coun. FORD—Mr. President, the reason for the order is that the gymnasium is there and that the amount of work necessary to fix up the lockers and other departments has not been done. It is a beautiful gymnasium and the people of Hyde Park think the work ought to be completed at once and the gymnasium opened.

The order was passed under suspension of the rule.

RECESS TAKEN.

The Council voted at 3.15 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.51 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petitions (referred today) for permits for children under 15 years of age to appear at various places of amusement, that permits be granted, viz.:

Lillian Kearney, Pere Marquette Hall, April 28.

Margaret J. Butler, Mechanics Building, May 6.

Reports accepted; permits granted on the usual conditions.

2. Reports on various papers—that the same be placed on file, viz.:

Message of Mayor (referred today) vetoing order for payment to widow of Maurice O'Brien.

Communication from Board of Street Commissioners (referred April 3) giving notice of hearings on petitions for licenses to keep and store gasoline.

Communication from Board of Street Commissioners (referred March 20) giving notice of hearings on petitions for licenses to store and sell gasoline.

Reports accepted; communications placed on file.

3. Report on message of Mayor and order (referred today) for appropriation of \$1,500 for Rent and Housing Committee—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

4. Report on message of Mayor and order (referred today) releasing certain rights of city on private way on Gately street to the Roman Catholic Archbishop of Boston—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 8, nays 0.

The order will take its final reading not less than fourteen days from date.

5. Report on message of Mayor, preambles and order (referred April 10) to exchange land and flats in South Boston with the Commonwealth—that the preambles and order ought not to pass.

The report was accepted and the preambles and order were rejected.

Later in the session Coun. WATSON moved to reconsider the vote whereby the preambles and order were rejected, and asked for the yeas and nays on the same.

The vote was reconsidered and the order was rejected, yeas 2, nays 6, Coun. WALSH and WATSON voting yea.

PARKMAN FUND.

Coun. HAGAN, for the Committee on Parkman Fund, submitted a report on message of Mayor, communication and order (referred

April 17) appropriating \$27,000 from Parkman Fund for Riverway Improvements—recommending the passage of the order.

Report accepted; order passed, yeas 8, nays 0.

APPROPRIATIONS FOR TWO DEPARTMENTS.

Coun. MORIARTY, for the Committee on Appropriations, submitted a report on message of Mayor and order appropriating \$975,000 for the Overseeing of the Public Welfare Department and \$1,100,000 for the Soldiers' Relief Department—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

MORRIS I. STERN SQUARE.

Coun. MORIARTY offered an order—That the open space at the junction of Chambers and Green streets be named Morris I. Stern square, in memory of said Stern, who died in the service of the United States during the World War, and that the order passed November 7, 1921, naming the junction of Chambers and Eaton streets Morris J. Stern square be and the same hereby is rescinded.

Passed under a suspension of the rule.

LAYING OUT OF LINDEN STREET.

President BRICKLEY offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out Linden street, West Roxbury, as a public way.

Passed under a suspension of the rule.

LAYING OUT OF OAK AVENUE.

President BRICKLEY offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out as a public way Oak avenue, Dorchester.

Passed under a suspension of the rule.

LAYING OUT OF ELVEN ROAD.

President BRICKLEY offered an order—That the Board of Street Commissioners be requested, through his Honor the Mayor, to lay out Elven road, Roslindale, as a public way.

Passed under a suspension of the rule.

JOHN JOSEPH DOWD SQUARE.

President BRICKLEY offered an order—That the space at the junction of Rutherford avenue and Chapman street, Charlestown, be named John Joseph Dowd square, in memory of said Dowd, who died in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

WILLIAM A. TRYDER SQUARE.

President BRICKLEY offered an order—That the space at the junction of Prescott, Trenton and East Eagle streets, East Boston, be named William A. Tryder square, in memory of said Tryder, who was killed in action during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

AGNES QUEENAN SQUARE.

President BRICKLEY offered an order—That the space at the junction of Monmouth and White streets, East Boston, be named Agnes Queenan square, in memory of said Agnes Queenan, an army nurse, who died in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

JAMES J. FLYNN SQUARE.

President BRICKLEY offered an order—That the space at the junction of Putnam, Trenton and White streets be named James J. Flynn square, in memory of said Flynn, who fell in action during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

JOHN J. CONNORS SQUARE.

President BRICKLEY offered an order—That the name of Winthrop square, Charlestown, be changed to John J. Connors square, in memory of said Connors who fell in action during the World War, and that said space be suitably marked with signs.

Coun. WATSON—Mr. President, in this matter I think we are treading on dangerous ground. The opponents of our action in making squares will have some ground upon which to criticise us if we vote to change the name of Winthrop square to that of some hero of the late war, no matter how deserving. The first objection that will be raised will be that the square was named after Governor Winthrop, and we will meet a great deal of opposition on that account.

President BRICKLEY—We have been simply asked to pass these orders naming the squares, as a matter of courtesy, and they have been sent along to somebody with greater authority for final action. That is my understanding in the matter.

Coun. WATSON—Well, before we pass this order, with a good chance to have somebody veto it and to have a stigma attached upon us, I suggest that it be referred to a committee.

The order was referred to the Executive Committee.

ACTION ON CONSTABLES.

President BRICKLEY called up unfinished business, No. 1, viz.:

1. Action on appointments submitted by the Mayor April 17, 1922, of Constables for the term of one year beginning May 1, 1922, as contained in Document 50.

The question came on confirmation. Committee—Coun. Ford and Walsh.

Coun. WATSON—Mr. Chairman, I desire to make a statement before we ballot upon these names. As long ago as the last week in February considerable information was given to me, although not direct, concerning some individuals on the list. It may be because of sour grapes on the part of those who furnish me with the information. But I do not intend personally to vote to confirm a single name here without there being an opportunity given to anybody who wishes to do so to look into the record of men who are appointed as constables. I think there should be that opportunity, and perhaps information can be obtained through the Law Department or otherwise. I am satisfied that the names of several at least are here that should not be here. But I am not prepared to present any information as against those men until I am able to get it directly. Furthermore, on May 1 their commissions run out, and we could not get a real, genuine hearing on the matter before that time. Next Monday will be the first of May. But if anybody will furnish information to me directly I want to state

that I am prepared to bring charges against any constable who may not have done his duty as such or who may have used his office in an improper manner. If any such information is brought to my attention I shall act accordingly.

Coun. MORIARTY—Mr. President, I would like to have the question of confirmation laid over for one week. I understand that there have been many instances of improper conduct on the part of constables. There is in the Boston Telegram today an editorial referring to some of the men on the list here who have obtained for collecting taxes \$15. It does not name them, but, with that sort of thing going on I want the information, the facts. Until we get the facts I would go on record as voting against the whole of them, if the issue is forced. I happened to be in the courthouse a short while ago and heard one of the men who is on the list here testifying that he was in the employ of a detective agency. Still, he is here on this list. I would like at least time enough to go through the hundred or more of these constables here, and I think a week is little enough time to do it. Even if some of them are out of a job for a week, if they have been making the money that some people say they have been making, I think it will do no particular harm to have them out for one week. I don't believe it will be a hardship. It will certainly be for the benefit of the poor unfortunate who has not had the money to meet them when they have come to his door. I have known of some summonses which have been sent out in some of the residential sections of the city where the women of the house have been all worked up and alarmed for fear that their husbands were going to be arrested before they came home. Some of the summonses were very, very pointed. I want to say in regard to some constables that if they had any manhood in them at all they would not take the job. I believe if there is any job that is a blood-sucking job it is that of a constable, and I don't believe any one who would work as a constable and do some of the work that these constables have done in the last three or four years is a man. I think it is the toughest job in the world. Some of them have been proven to be in the employment of second hand houses and installment houses, and have done all sorts of things that people with any decency would not want to do. I believe every one of them should come in here and should be put under oath. I believe the City Clerk should be here and should put them under oath; that we should have every one of them who serves civil process brought here and put under oath, finding out how he has really acted, instead of allowing it to go out to the electorate of the City of Boston that these men can do the sort of thing they have been doing, taking in sometimes taxes to the amount of \$5 and getting \$15 for doing it. Some of them I saw around a few years ago on their uppers, and now they are riding around in Packard cars, on the money gouged from the poor unfortunates who have not been able to pay their taxes at the moment when the demand was made. I say that any man who would take that job is no part of a man. I mean that for the whole of them, and some of them are my personal friends, but I am willing to sever my friendship for any man who will take a gouging job.

Coun. GILBODY—Mr. President, I wanted, if possible, to vote on those who are in the employ of the city, holding the others over for one week.

Coun. MORIARTY—That is satisfactory to me, Mr. President.

Coun. GILBODY—There are some employed by the city on the list, and I think those should be voted upon today.

Coun. MORIARTY—I have no objection to that, Mr. President.

President BRICKLEY—The question comes on the confirmation of those connected with official positions, and not authorized to serve civil process.

The Council voted to confirm the appointment of constables connected with official positions, to serve without bonds, yeas 8, nays 0.

Coun. MORIARTY—Mr. President, I now move you that the other constables (those authorized to serve civil process upon filing bonds) be notified to come in here at our next meeting, and that they be put under oath when they appear before the members of the Council.

Coun. HAGAN—Did you want all of them here?

Coun. MORIARTY—Well, we might as well settle that matter in just as satisfactory a way as we propose to settle the budget. I think, in fact, that it is of more advantage to the City of Boston to do so.

Coun. FORD—Mr. President, I don't want to do anything that we have not the power to do. I would ask the City Clerk if we have a right to put them under oath, not that I am opposed to doing so, but I don't want to have the body placed in the position of attempting to do something which it does not have the power to do.

President BRICKLEY—We have the power.

Coun. HAGAN—I was simply wondering, Mr. President, whether it was necessary to bring in 150 men here and try to interview them all next Monday. I am afraid that it would be impossible to do so.

Coun. MORIARTY—Well, Mr. President, I think we should get at the bottom of the case. It is certainly a very important matter. The citizens of this city have been abused long enough, and it is time that the thing should be righted.

Coun. FORD—I would suggest that, officially or unofficially, if the press or anybody else has any information in regard to the gouging constables, if there are such, it would be well to have the information in the hands of the President before next week, in order that we may take intelligent action in the matter, because after we have confirmed the appointment we cannot do much until another year. It is hard to upset them after they are once

appointed and confirmed. So I think it would be well to get all the information we can before next Monday, and I trust that the press will aid us in the matter of getting it. We can then act intelligently and perhaps rid the city of some undesirable officials. Certainly constables who charge too large fees, gouging fees as the councilor properly calls them, should not be tolerated.

It was voted that the question of confirmation of the constables authorized to serve civil process upon filing bonds should be assigned to the next meeting, and that the appointees should be duly notified to appear before the Executive Committee.

CONFIRMATION OF MINOR OFFICERS.

Coun. FORD moved a general reconsideration No. 2, viz.:

2. Action on appointments submitted by the Mayor April 17, 1922, of minor officers paid by fees for the term of one year beginning May 1, 1922, as contained in Document 51.

The question came on confirmation. Committee—Coun. Ford and Walsh. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.14 p. m., on motion of Coun. WALSH, to meet on Monday, May 1, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 1, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Alfred Ray Mitchell, 726A Dudley street, Dorchester, to the position of Constable of the City of Boston.
2. Abraham Greenside, 24 Staniford street, Boston, to the position of Constable of the City of Boston.
3. John P. Shepard, 12 Belmont street, Charlestown, to the position of Constable of the City of Boston.
4. Leo Carroll, 4 Templeton way, Dorchester, to be a Constable of the City of Boston.
5. Patrick J. Kellard, 64 Tudor street, South Boston, to be a Weigher of Goods.
Laid over under the law.

VETO—REINSTATEMENT OF T. J. GAVIN.

The following was received:

City of Boston,
Office of the Mayor, April 24, 1922.
To the City Council:
Gentlemen,—I return herewith, without my approval, an order of your honorable body for the reinstatement of Thomas J. Gavin, dated April 17, for the reasons as set forth in the appended memorandum submitted by the Commissioner of Public Works, Joseph A. Rourke.
Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of the Mayor, April 21, 1922.
To the Honorable the Mayor:
The records of this department show that Thomas J. Gavin was appointed on June 26, 1914, as teamster in the Sanitary Service; that on December 3, 1915, he was transferred to the Paving Service as a paver at \$2.50 per day, increased to \$3 per day on September 1, 1916.

On March 19, 1917, he was granted a leave of absence for five months, to accept a position as paver in the Navy Yard, Charlestown; he returned to work September 4, 1917, worked three days and returned to the Navy Yard. On March 11, 1918, he requested that he be granted an indefinite leave until he was released by the Navy Yard officials, which was granted.

On March 15, 1922, he applied for reinstatement in this department, stating that his services ceased in the Navy Yard. A request to employ him was sent to the Commissioner of Civil Service on the same day. In reply the commissioner stated that in view of the fact that he had not been employed for the city since April 6, 1917, his reinstatement cannot be allowed. Under the civil service regulations any laborer not actually employed shall at the end of six months be held to have resigned unless his absence was unavoidable.

Mr. Gavin's absence was not unavoidable as he left the department to accept a position at higher remuneration outside the city service.

If this legislation is approved it will act as a precedent for several similar requests from men who left the city service during the war period to engage in higher paid work outside. I recommend that the Law Department oppose such requests, especially at this time when we are endeavoring to alleviate the unemployment situation of the World War veterans. Gavin was employed in the department about three years.

J. A. ROURKE,
Commissioner of Public Works.

Placed on file.

REPORT OF OVERSEERS OF PUBLIC WELFARE.

The following was received:

City of Boston,
Office of the Mayor, April 27, 1922.
To the City Council:
Gentlemen,—I return herewith report of the Overseers of the Public Welfare, the same being a reply to the order of your honorable body of April 17, 1922.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Overseers of the Public Welfare,
April 24, 1922.
Hon. James M. Curley,
Mayor of Boston:

Sir,—Your communication of the 22d received, containing order passed by the City Council requesting the Overseers of the Public Welfare to inform, through your Honor, the City Council, if it has the information, the amount of relief, if any, that is given to the worthy poor of the City of Boston by the Family Welfare Society of Boston. After consultation with the chairman of the Board and the office committee, I have to inform you that this department has no particular information in regard to the expenditures of money by the Family Welfare Society except as published in its annual reports. I inclose their report for seven months ending April 30, 1921. However, should you require additional facts which would bring the report down to April first, I will endeavor to obtain the same from the secretary of the Family Welfare Society.

Yours respectfully,
W. H. HARDY, Secretary.

Placed on file.

VETO—EAST BOSTON SQUARE.

The following was received:

City of Boston,
Office of the Mayor, April 26, 1922.
To the City Council:

Gentlemen,—I return herewith, without my approval, orders of your honorable body, dated April 24, providing for the changing of the name of Putnam square to James J. Flynn square, also the changing of Prescott square to William A. Tryder square, and the changing of the name of Monmouth square to Agnes Queenan square.

The movement for liberty in the colonies, whose fruition was only possible after eight years of sacrifice and service on the part of colonial mothers and fathers, marked the most forward movement in the painful uphill march of humanity towards liberty and equality.

There is no way in which to justify the effacement of any memorial connected with the movement for liberty, and it is not my purpose, as Mayor, to approve any order the adoption of which would lessen the respect and minimize the reverence that all free men should hold in common for events and individuals connected with the establishment of free government on this continent.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

ALARM BELL, EAST STREET.

The following was received:

City of Boston,
Office of the Mayor, April 29, 1922.
To the City Council:

Gentlemen,—I am transmitting herewith a statement from the Acting Fire Commissioner, which is a reply to your order of the 10th instant relative to placing an alarm bell upon the fire alarm box at the corner of East street and Dorchester avenue.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Fire Department, April 25, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—Referring to the order of the City Council of April 10, 1922, requesting that a warning bell be placed on the fire alarm box post at the corner of East street and Dorchester avenue, I beg to advise your Honor that I have ordered the warning bell to be installed as soon as possible.

I return herewith the copy of the City Council's order.

Yours very respectfully,
WILLIAM J. CASEY,
Acting Fire Commissioner.

Placed on file.

MARKETS TO OPEN JUNE 16.

The following was received:

City of Boston,
Office of the Mayor, May 1, 1922.
To the City Council:

Gentlemen,—I am transmitting herewith a petition of the lessees of Faneuil Hall and Quincy Markets for the right to keep open on Friday, June 16, 1922, until 9 p. m. and to close all day Saturday, June 17, 1922, and I respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That Faneuil Hall and Quincy Markets be kept open on Friday, June 16, 1922, until nine o'clock p. m. and closed on Saturday, June 17, 1922.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Estate of Robert Barnstead, to be reimbursed for expense incurred on account of the stopping up of sewer pipes at 64 Van Winkle street, Dorchester.

Batchelder & Snyder Company, for compensation for damage to truck and contents by a defect in Kilmarnock street.

Elizabeth G. Clear, for refund of fee paid for license at 30 Washington street, Charlestown, which was never issued.

Katherine Dolan, for compensation for injuries caused by a fall in front of 9 Oakview terrace, Jamaica Plain.

Elizabeth Kelliher, for compensation for injuries caused by a fall on River street, Mattapan.

L. LoConte & Co., for compensation for damage to automobile by a team of the Sanitary Division.

William J. Magee, for compensation for damage to automobile by fire apparatus.

Daniel P. Miley, to be reimbursed for overcoat taken from him at the City Hospital.

James V. Rooney, for compensation for damage to car by a defect in Cambridge street, Allston.

George W. Skinner, for refund of fee paid for water tax at 32 McLellan street, Dorchester, for 1921, which was paid twice.

Stone's Express, Inc., for compensation for damage to truck by fire apparatus.

Loren D. Towle, for compensation for damages at 96-104 High street, caused by the backing up of sewage.

John W. Walsh, for compensation for injuries caused by fire apparatus running into automobile in which he was sitting.

William Orchard, to be paid expense of embankment and steps at 4393 Washington street incurred on account of the neglect of employees in sidewalk construction.

Executive.

Petitions to sell, rent or lease firearms, were received, as follows:

Lazarus Davis, 2131 Washington street, Ward 13.

Frederick H. Doell, 11 Dock square, Ward 5.
Penway Loan Company, 567 Columbus avenue, Ward 7.

Samuel Fredenburg, 172 Merrimac street, Ward 5.

Edward A. Grout & Co., 3 Somerset street, Ward 5.

International Exchange Corporation, 115 State street, Ward 5.

Jacob H. Kahn, 29 Chelsea street, Ward 4.
National Blade Service, 18 State street, Ward 5.

National Blade Service, 241 Tremont street, Ward 5.

The Horace Partridge Company, 49 Franklin street, Ward 5.

William Rosenfeld, 29 and 31 Green street, Ward 5.

Jacob Schneider, 55 Green street, Ward 5.
Subway Loan Company, 151 Broadway, Ward 5.

Tieman & Sisson, 11 Green street, Ward 5.
The Winchester Company, 364 Washington street, Ward 5.

M. Weinfeld, 315 Hanover street, Ward 5.

Petitions for children to appear in public places of amusement, as follows:

Nellie Ferguson, at Jordan Hall, on May 22.

J. J. Richards, at Copley-Plaza Hall, on May 19.

Cecile A. Mara, at Jordan Hall, on May 4.

Elizabeth Peabody House Corporation, at Elizabeth Peabody House on May 6.

Elizabeth Peabody House Corporation, at Elizabeth Peabody House on May 19 and 20.

NOTICES OF APPOINTMENTS.

Notice was received by the City Clerk from the Mayor of the appointment of James B. Shea as chairman of the Park Commission.

Placed on file.

Notice was received of the appointment by the Mayor of Thomas P. Gynn to be School-house Commissioner, a certified copy of the same having been sent to the Civil Service Commission.

Placed on file.

NOTICES OF APPROVAL.

Notices were received from the Civil Service Commission of the approval of the following appointments by the Mayor, viz.:

Matthew Cummings, Sinking Funds Commissioner.

Francis Peabody, Statistics Trustee.

Placed on file.

STREET TRAFFIC REGULATIONS.

A communication was received from the Street Commissioners giving notice of Albany street being a one-way street from Beach street to Broadway, and Tyler street north-erly, from Curve street to Beach street.

Placed on file.

NOTICES OF HEARINGS.

Notices were received from the Public Utilities Commission of hearings on petitions of

the Boston Elevated Railway Company, Thursday, April 27, viz.:

For approval of certain changes at Dudley Street Station.

For approval of construction and use of a passageway from Milk Street Station to No. 7 Water street.

Placed on file.

PAYMENT OF MONEY TO MISS McSHANE.

Coun. GILBODY offered the following:

Resolved, That the City Council of Boston approves legislation for the payment of a sum of money to the sister of the late Daniel J. McShane, a Boston police officer, who was killed while in the performance of his duty.

Passed under a suspension of the rule.

GARAGES IN BOSTON.

Coun. WATSON offered an order.—That chapter 316 of the Acts of 1922, entitled "An Act Relative to Garages in the City of Boston," be and the same is hereby accepted. Referred to the Executive Committee.

REINSTATEMENT OF M. N. O'MEARA.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Michael N. O'Meara in the Fire Department. Passed under a suspension of the rule.

LAYING OUT OF MUSEUM SQUARE.

Coun. WATSON offered an order.—That the Board of Street Commissioners be requested, through his Honor the Mayor, to submit to the City Council an estimate of the cost of laying out Museum square, as recommended in the 1918 report of the City Planning Board.

Passed under a suspension of the rule.

SIDEWALK, ADELAIDE STREET.

Coun. WALSH, for Coun. HAGAN, offered an order.—That the Commissioner of Public Works make a sidewalk along Adelaide street, from Boylston street to Spring Park avenue, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

PAYMENT TO MICHAEL SHEEHAN.

Coun. MORIARTY offered an order.—That under the provisions of chapter 254 of the Acts of 1922 there be allowed and paid to Michael Sheehan as compensation for the death of his son, Robert L. Sheehan, who was killed during the riot on September 10, 1919, the sum of \$2,500, in weekly payments of \$25, the amount so paid to be charged to the Reserve Fund.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.36 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 5.28 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. GILBODY, for Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Reports on petitions (referred today) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Nellie Ferguson, Jordan Hall, May 22.

J. J. Richards, Copley-Plaza Hall, May 19.

Cecile A. Mara, Jordan Hall, May 4.

Elizabeth Peabody House Association, Elizabeth Peabody House, May 6.

Elizabeth Peabody House Association, Elizabeth Peabody House, May 19 and 20.

Reports severally accepted; permits granted on the usual conditions.

2. Report on message of Mayor, communication and order (referred today) for opening of Faneuil Hall and Quincy markets on Friday, June 16, until nine o'clock p. m., said markets to be closed on Saturday, June 17—that the order ought to pass.

Report accepted; order passed.

3. Report on order (referred today) accepting chapter 316 of the Acts of 1922 entitled "An Act Relative to Garages in the City of Boston"—that the order ought to pass.

Report accepted; order passed.

SIDEWALK, HOLTON STREET.

Coun. WALSH offered an order.—That the Commissioner of Public Works make a sidewalk along both sides of Holton street, from Franklin street to Everett street, Ward 26, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

PAYMENT TO MRS. ELLEN O'BRIEN.

Coun. DONOGHUE offered an order.—That there be allowed and paid to Mrs. Ellen O'Brien, widow of Maurice O'Brien, the sum of \$1,500 in compensation for the death of her husband, who was killed by Fire Department apparatus August 30, 1917, said amount to be charged to the Reserve Fund.

Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1, 2, viz.:

1. Action on appointments submitted by the Mayor April 24, 1922, of the following-named persons to be Constables: John J. Murray, Martin F. Cavanagh, Hyman Shapiro, Joseph E. Ferreira, James J. Delaney, Louis A. Tanner.

2. Action on appointment submitted by the Mayor April 24, 1922, of Thomas J. Hubbard, to be a Weigher of Boilers and Heavy Machinery.

The question came on confirmation. Committee—Coun. Gilbody and Moriarty. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

CONFIRMATION OF CONSTABLES.

President BRICKLEY called up unfinished business, No. 3, viz.:

3. Action on appointments submitted by the Mayor April 17, 1922, of Constables authorized to serve civil process upon filing bonds, as contained in Document 50.

The question came on confirmation of the constables, with the following exceptions, viz.: Fowhatan Bagnall, Carleton N. Baker, Thomas

Cannizzaro, Frank I. Cohen, James B. Cushing, Achille Forte, Rosario H. Gagnon, Lionel De Jersey Greene, Harry Jaffe, Joseph F. Meroth, Michael W. Ober, John S. H. Petit, George Ramacorti, Julius Rosenblum, Warren F. Russell, Frank Shaw, Thomas Spinelli, Harry Van Dam.

Committee—Coun. Moriarty and Gilbody. Whole number of ballots cast 7, yeas 6, nays 1, Coun. MORIARTY voting nay, and the several appointments were confirmed with the exception of the names above recorded.

EXTENSION OF CHRISTOPHER J. LEE PLAYGROUND.

President BRICKLEY called up unfinished business, No. 4, viz.:

4. Ordered, That the sum of \$75,000 be hereby appropriated to be expended under the direction of the Park Department for the im-

provement and extension of Christopher J. Lee Playground, and that to meet such expense the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On April 17, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 7, nays 0.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.32 o'clock p. m., on motion of Coun. MORIARTY to meet on Monday, May 8, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 8, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. George F. Deleskey, 42 Austin avenue, Ward 1, to the position of Constable of the City of Boston.
 2. James A. McKenna, 134 Marion street, Ward 2, to the position of Constable of the City of Boston.
 3. Charles Rabinovitz, 999 Columbus avenue, Roxbury, a Weigher of Coal.
 4. John W. Finnegan, 140A Adams street, Ward 18, to the position of Constable of the City of Boston.
 5. James E. McGonagle, Jr., 201 Hillside street, Roxbury, to be a Weigher of Goods.
 6. Weighers of Goods for the term ending April 30, 1923: Francis A. Trayers, 74 Roxbury street, Roxbury; William A. Shutt, 74 West Second street, South Boston.
 7. David Kaplan, 52 Fowler street, Dorchester, to be a Measurer of Leather.
- Laid over under the law.

EXCHANGE IN RIGHTS OF LAND,
MARINE PARK.

The following was received:

City of Boston,
Office of the Mayor, May 8, 1922.

To the City Council:

Gentlemen,—I transmit, for the second time, an order which authorizes an exchange of rights in flats and lands adjacent to Marine Park, South Boston district, and owned partially by the Commonwealth and partially by the City of Boston, which lands and flats are fully described in said order.

The Commonwealth has filled a portion of this land for commercial use and, in the event of favorable action by the Boston City Council on this order, the Public Works Department of the Commonwealth will be enabled to further develop the Port of Boston in addition to adding a considerable amount of taxable realty.

The Public Works Department of the Commonwealth has agreed, in the event of the city government approving this request, to dredge Pleasure hay to a depth satisfactory to the Park Commission.

The submission of this order today marks the third presentation of the same to your honorable body, once under my predecessor in 1921 and a more recent submission by myself.

I beg to state that, while it is desirable that every facility be afforded for recreation by the public, the most contributory factor to participation in pleasure or health-giving recreation is employment, and without employment it is exceedingly difficult to indulge in or enjoy recreation of any character.

The adoption of this order entails no expense to the City of Boston and may result in the establishment here of new industries that are necessary to the public welfare.

Under the circumstances I trust your honorable body will act favorably upon this proposition.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Whereas, The City of Boston by deeds from the executor of and trustee under the will of Benjamin Adams, dated April 30, 1883, recorded with Suffolk Deeds, Lib. 1595, pages 395 and 396, acquired titles to certain lands, beach and flats on Q street, now Farragut road, in the South Boston district, extending easterly and northerly to low water mark, "to be used for the purpose of a public park," and the said city by a taking recorded with said deeds, Lib. 1597, page 591, took the said land, beach and flats "as and for a public park," and

Whereas, The Board of Park Commissioners of the City of Boston by the three following acts was authorized to make such excavations and filling and erect and maintain such structures in and over the area of tide water at or near Dorchester Point as the Board may deem necessary or desirable for the purposes of a public park: Chapter 360 of the Acts of 1885, covering the area which lies southerly of the northerly line of East First street extended easterly to Castle Island and east of the westerly line of Q street, extending southerly into Old Harbor; chapter 427, section 1, of the Acts of 1887, covering the area which lies south of a line drawn parallel to and three hundred (300) feet northerly from the northerly line of East First street extended easterly to Castle Island and easterly of the westerly line of Q street, extended northerly to an intersection with said parallel line and southerly into Old Harbor; and chapter 438 of the Acts of 1889, covering the area which lies east of the westerly line of Q street and extending southerly into Old Harbor and northerly to the southerly line of the Reserve channel as established by the Board of Harbor and Land Commissioners under chapter 46 of the Resolves of 1886, and south of said southerly line of the said Reserve channel; section 2 of said chapter 438 provides that "all lands of the Commonwealth which are occupied or enclosed under the provisions of this act shall be appropriated to and used solely for the purposes of a public park", and

Whereas, The location of the Reserve channel as established under chapter 46 of the Resolves of 1886 was changed under the authority of chapter 90, Resolves of 1911, leaving a large area of land belonging to the Commonwealth lying between the two locations of the southerly line of the channel adjacent to the said land, beach and flats owned by the City of Boston for a public park, and whereas in order to furnish approaches to, and properly develop this area it is necessary to use a portion of the said land, beach and flats which the city owns and was authorized to occupy for a public park; and

Whereas, By agreement between the Department of Public Works of the said Commonwealth and the Mayor and Park and Recreation Commissioners of the City of Boston, the Commonwealth in connection with the filling of the area lying between the old and new locations of the southerly line of the Reserve channel has in addition filled a portion of the flats adjacent to the land of the City of Boston used for a public park with the understanding that a portion of such area should be transferred to the Commonwealth in order to provide proper facilities for reaching and developing the land of the Commonwealth which has been filled; and, further, that the Commonwealth release any interest it may have in and to all land, beach and flats lying between Marine Park and Castle Island and extending southerly from the northerly side of the existing bridge that connects City Point with the said island; and that the Commonwealth agree to perform certain acts in regard to the filling of those flats and making a beach running into Pleasure bay, and in regard to the location and construction of a street one hundred feet wide, and to restrict a certain area.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city, in accordance with the provisions of chapter 748 of the Acts of 1911, to convey to the Commonwealth of Massachusetts all the rights, title and interest which the City of Boston has in and to the land and flats on the easterly side of Farragut

gut road in the South Boston district, containing approximately forty-nine thousand and eight hundred (49,800) square feet of solid land, and three hundred eighty-seven thousand and one hundred eighty-three (387,183) square feet of flats to be devoted to commercial purposes, and forty-one thousand (41,000) square feet of solid land and one hundred and forty-eight thousand eight hundred seventy (148,870) square feet of flats over which the Commonwealth is to construct a street or way to be used in part for commercial purposes, all as shown on a plan made by Henry C. Mildram, real estate engineer, dated February 14, 1921, in exchange for conveyance by the said Commonwealth of all its rights, title and interest in and to the lands and flats lying between Marine Park, as now filled, and Castle Island, and extending from the southerly line of the said land and flats to be released to the Commonwealth southerly into Old Harbor, and the agreement by the Commonwealth that it will complete the filling of the flats from the southerly line of the flats to be released to it to the southerly side of the existing bridge that connects City Point with said island, the material dredged from the harbor making a beach sloping from the southerly side of the said bridge southerly into Pleasure bay, the beach being made at such slope as the material will naturally assume when placed by a hydraulic dredge; the said Commonwealth further agrees never to erect any building or buildings on the land or flats owned by it lying between Castle Island and the red line shown on said plan and marked "Restriction line, beyond which on the east side no buildings are to be erected," and within a reasonable time to locate and construct a street or way one hundred feet wide within the premises to be released to it and along the southerly line thereof extending from East First street easterly to a line riparian ownership, using a strip twenty-three (23) feet wide for the location of two standard gauged railroad tracks to be used for commercial purposes, with branches leading into the areas on the northerly side of said street, the Commonwealth to pave and regulate the portion of said street northerly of the said twenty-three foot strip, and agree that the city reserve the right to develop that portion of said street south of the said strip for park purposes.

Both conveyances and agreements referred to in this order are to be in form satisfactory to the Law Department.

Referred to the Executive Committee.

MARITIME ASSOCIATION REPORT.

The following was received:

City of Boston,

Office of the Mayor, May 8, 1922.

To the City Council:

Gentlemen,—I submit herewith reports of the Maritime Association of the Boston Chamber of Commerce with reference to petition filed in behalf of the Governing Board of the Maritime Association and subscribers to the port differential fund, to which fund the City of Boston has contributed \$2,500.

Respectfully yours,

JAMES M. CURLEY, Mayor.

(Annexed were the reports referred to.)

Referred to the Executive Committee.

ICE FOR DRINKING FOUNTAINS.

The following was received:

City of Boston,

Office of the Mayor, May 5, 1922.

To the City Council:

Gentlemen,—I believe it is desirable that the city should ice such fountains as are adapted to this form of cooling during the summer months. There is no appropriation available for this purpose at the present time, and I am therefore submitting an order appropriating the sum of \$5,000 to be spent for ice for

fountains and I respectfully recommend the passage of same by your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That the Commissioner of Public Works be authorized to expend a sum not exceeding \$5,000 for the purpose of furnishing ice for the public drinking fountains during the summer season, said amount to be charged to the Reserve Fund.

Referred to the Executive Committee.

SALE OF OLD MATERIALS.

The following was received:

City of Boston,

Office of the Mayor, May 6, 1922.

To the City Council:

Gentlemen,—I am herewith transmitting a communication from the Commissioner of Public Works relative to the sale of a quantity of old materials, the property of the Water Service, and I respectfully recommend the passage of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Boston, May 3, 1922.

To the Mayor of Boston:

I respectfully request authority to sell at public auction, after due advertisement, a quantity of old materials, belonging to the Water Service, consisting of old iron, rubber, brass, etc., and having an approximate value of \$4,200.

It is suggested that you present this matter to the City Council for the passage of the necessary order.

Yours respectfully,

J. A. ROURKE,

Commissioner of Public Works.

Ordered, That the Superintendent of Supplies be and hereby is authorized to sell, after due advertisement, a quantity of old materials, consisting of old iron, rubber, brass, etc., the property of the Public Works Department, Water Service, valued at approximately \$4,200.

Referred to the Executive Committee.

COST OF VIADUCT ACROSS BOSTON & ALBANY RAILROAD.

City of Boston,

Office of the Mayor, May 6, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a statement from the Commissioner of Public Works which is a reply to your request of March 27 relative to the cost of building a viaduct from Huntington avenue, corner of Exeter street, across the yard of the Boston & Albany Railroad to either the corner of Fairfield street or of Gloucester street.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

Public Works Department,

May 2, 1922.

Hon. James M. Curley,

Mayor of Boston:

Attached herewith is the order of the City Council requesting an estimate of the cost of building a viaduct from Huntington avenue, at the corner of Exeter street, across the yard of the Boston & Albany Railroad, to either the corner of Fairfield street or of Gloucester street.

The estimates assume that the land damages and the damages to the railroad company are equal to one half the assessed value of the area over which the viaduct goes.

The estimated cost of the viaduct to the corner of Fairfield street is \$900,000. This will require either a very sharp grade up from Boylston street to avoid excessive land damages on that street, which would appear to be

prohibitive, or else changing the grade of Boylston street, or making a less sharp inclination, providing a less steep grade of about 5 per cent in order to give 18-foot headroom over the tracks, which is absolutely required. The railroad officials desire a 22-foot clearance. This is practically out of the question for this viaduct, as a great many of the tracks will either be wiped out or relocated.

The estimated cost of the viaduct to Gloucester street is \$1,350,000. This would not require such a long gradient, and fewer of the tracks of the railroad would be destroyed on this account.

For either viaduct, in order to make room for the supporting posts, many of the tracks would have to be taken out and the tracks of practically the whole yard relocated, which expense might also be charged against the city in addition to the damages accruing to the railroad for the location of a viaduct over its property.

Yours respectfully,
J. A. ROTURKE,
Commissioner of Public Works.

Placed on file.

WELCOME TO UNITED STATES SOLDIERS.

The following was received:

City of Boston,

Office of the Mayor, May 8, 1922.

To the City Council:

Gentlemen,—The last detachment of American troops, stationed in German territory, namely the 5th Regular Infantry, are at present stationed at Portland, Me., and it is desirable that an opportunity be afforded the people of Massachusetts to extend a welcome home-coming to these American soldiers.

Arrangements having been made for the observance of Memorial Sunday on May 21 and May 28, I sincerely trust that your Council, in its wisdom, will consider favorably the adoption of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That the City of Boston extend, through Gen. Clarence R. Edwards, First Corps Area, an invitation to have the 5th Regular Infantry, U. S. A., participate in the Memorial Sunday services Sunday, May 21, and Sunday, May 28, 1922, at Boston, as the guests of the City of Boston.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Alessandro Cucchiara, for compensation for injuries caused by a skid being knocked down outside of 3 Faneuil Hall Market.

Edson Manufacturing Company for refund of amount paid for ash tickets.

John Gambino, to be paid for damages by water at 8 Washington street.

Henrietta Gioiosa, for compensation for damage to automobile on the East Boston ferryboat.

Henry J. Greene, for compensation for damage to automobile by the blowing up of a hydrant on Leon street.

Benjamin Hunter, for compensation for injuries caused by a defect in highway at 12 Oak street.

Estate of Thomas J. Lane, for compensation for damage to fence in rear of 25 Warren avenue by a team of the Sanitary Division.

Elizabeth McAteer, for compensation for injuries caused by a defect in Tyler street.

James McCarthy, for compensation for damage by water at 25 and 27 Bunker Hill street, caused by broken supply pipes.

John J. Moore, for a hearing on claim on account of a defect in highway at 33 West Cottage street.

John Pappas, for refund of amount paid for eighty-four ash tickets.

Mrs. Gertrude A. Riley, for compensation for injuries caused by a defect in South street, Jamaica Plain, in front of the municipal building.

A. J. Sears, for compensation for damage to automobile at the Brighton High School Auto Repair Department.

William J. Sheehan, to be paid for fence at 24 and 26 Gordon avenue, demolished by fire apparatus.

John P. Silk, for the return of money taken from him at the Relief Station.

Winifred L. Sinnott, for compensation for damages by the bursting of water pipes at 70 Bernard street.

Seekay Service Stores, Inc., for refund of amount paid for ash tickets.

Gustan A. Schultz, for compensation for damage to automobile caused by defect in Sudbury street.

Frank C. Walsh, for compensation for damage to clothing caused by fall at 84-88 High street.

Mildred L. Nelson, for compensation for injuries caused by a defect in Franklin street, corner Hamilton alley.

Executive.

Petitions for licenses to sell, rent or lease firearms, as follows:

Baker & Kimball, Inc., 38 South street, Ward 5.

Samuel Friedman, 223 Hanover street, Ward 5.

Hyde Park Loan Company, 49 Fairmount avenue, Ward 24.

Iver Johnson Sporting Goods Company, 155 Washington street, Ward 5.

Mark Nelson, 359 Columbus avenue, Ward 7.

Eli Pearlstein, 62 Merrimac street, Ward 5.

Provident Loan Company, 39 Cornhill, Ward 5.

Joseph Sonnabend, 2136 Washington street, Ward 13.

United Improvement Association, for an opinion as to the constitutionality of the law relative to revocation of street railway locations (General Laws, chapter 161, section 77).

APPOINTMENTS BY THE MAYOR.

The following appointments were submitted by the Mayor, certified copies of the same having been sent to the Civil Service Commissioners, viz.:

John E. Mahony, Building Commissioner.

Charles J. Fox, Budget Commissioner.

James A. Dorsey, Listing Board.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commissioners of approval of the following appointments, viz.:

Thomas E. Goggin, Election Commissioner.

Patrick H. Graham, Superintendent of Markets.

Mrs. Jeremiah J. Hurley, Overseer of the Public Welfare.

Frank Leveroni, Overseer of the Public Welfare.

Placed on file.

TRACK LOCATIONS.

Copies of orders were received from the Board of Street Commissioners granting track locations to the West End Street Railway Company, viz.:

Track at southerly corner of Columbus avenue and Roxbury street, 566th location.

Track on Roxbury street, at lot square, 567th location.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, after having approved of the same, submitted the following constables' bonds to the Council, viz.:

Joseph K. Barnes, Joseph H. Bay, David Belson, George W. Brooker, John J. Cadigan,

Sherman H. Calderwood, William J. Cargill, Daniel B. Carmody, William K. Coburn, William A. Collupy, Saverio DiDonato, William Doonan, George G. Drew, Frank R. Farrell, Thomas Fee, James Fraser, Paul R. Gast, James W. Gilmore, Sears H. Grant, George W. Green, William C. Gregory, Joseph Guttentag, Charles F. Hale, Sinclair F. Hale, Stephen M. Hannon, Thomas F. Holden, Walter Isidor, Charles H. Jackson, Frank L. Kane, William H. Kelly, Clarence H. Knowlton, John J. Levy, Frederic J. Lundy, Salvatore Maffei, Thomas E. McKenna, Thomas J. O'Brien, William I. Paine, Philip L. Phillips, Benjamin F. Powell, Robert Reid, Davis Reinherz, St. Clare H. Richardson, Raphael Resnosky, Barnett Senkin, Joseph P. Silsby, Salvador C. Sottile, Emil A. Thielsch, Joseph C. Troy, Jeremiah Twomey, John J. Walsh, Martin Welch, Fred Yennacco.

Approved.

NOTICE OF HEARINGS, GASOLENE LICENSES.

Notice was received from the Board of Street Commissioners of hearings on May 22 and May 23 on applications for keeping, etc., of gasolene.

Referred to the Executive Committee.

NOTICE OF CONTRACT.

Notice was received from Joseph P. Manning, City Hospital Trustee, in accordance with law, of interest in three contracts with the Institutions Department.

Placed on file.

ORGANIZATION OF CITY HOSPITAL TRUSTEES.

Notice was received of the organization of the City Hospital Trustees, as follows:

Joseph P. Manning, President; Thomas A. Forsyth, Secretary.

Placed on file.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for twelve newsboys and fourteen vendors—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

APPROPRIATION BILL.

Coun. MORIARTY, for the Committee on Appropriations, submitted the following, viz.:

REPORT OF THE COMMITTEE ON APPROPRIATIONS, SUBMITTING THE APPROPRIATION BILL FOR THE CITY AND COUNTY FOR 1922-23.

In City Council, May 8, 1922.

The Committee on Appropriations, to which was referred April 24 the appropriations and tax orders, having considered the subject, respectfully recommends the passage of the accompanying orders.

For the Committee,

JAMES T. MORIARTY, Chairman.

AMOUNTS ALLOWED, 1922-23.

Art Department	\$3,120 00
Assessing Department	242,297 11
Auditing Department	64,226 76
Boston Sanatorium	376,902 44
Budget Department	7,367 00
Building Department	196,335 70
Board of Examiners	4,757 00
Board of Appeal	5,153 33
City Clerk Department	49,763 00
City Council	37,640 00
City Council Proceedings	10,250 00
City Documents	41,000 00
City Planning Board	7,072 56
Collecting Department	149,551 65
Election Department	212,788 80

Finance Commission	40,000 00
Fire Department	3,327,800 54
Wire Division	88,827 36
Health Department	490,411 40
Hospital Department	1,240,445 28
Institutions Department:	
Central Office	61,181 36
Boston Almshouse and Hospital	377,755 88
Child Welfare Division	178,799 00
Steamers "Monitor" and	
"George A. Hibbard"	67,487 00
Suffolk School for Boys	2,375 00
Law Department	57,534 15
Library Department	741,993 00
Licensing Board	35,668 00
Market Department	16,967 67
Mayor, Office Expenses	71,290 72
Public Celebrations	55,000 00
Conventions, etc.	20,000 00
Overseeing of the Public Welfare	
Department	68,496 45
Temporary Home	7,017 00
Wayfarers' Lodge	13,735 00
Park Department	1,253,270 12
Cemetery Division	125,995 78
Police Department	4,165,411 00
Public Buildings Department	435,441 10
Public Works Department:	
Central Office	95,997 88
Bridge Service	418,977 34
Ferry Service	497,937 00
Lighting Service	736,777 08
Paving Service	1,194,212 95
Sanitary Service	1,748,998 96
Street Cleaning and Oiling	
Service	922,974 04
Sewer Service	574,843 92
Registry Department	48,063 23
Reserve Fund	500,000 00
Sinking Funds Department	2,625 00
Soldiers' Relief Department	52,252 89
Statistics Department	8,607 67
Street Laying-Out Department	161,384 54
Supply Department	42,920 26
Treasury Department	56,650 00
Weights and Measures Department	
.....	35,757 92
Bridges, repairs, etc.	86,000 00
Granolithic Sidewalks	50,000 00
Reconstructing and Repairing	
Streets by Contract	750,000 00
Street Improvements	250,000 00

\$22,585,208 84

City Debt requirements

\$158,579 67

Jail	\$158,579 67
Suffolk County Courthouse (Custodian)	122,621 36
Suffolk County Courthouse	
(County Buildings)	65,147 00
County Buildings	62,024 84
Supreme Judicial Court	55,487 75
Superior Court, Civil Session	
(General Expenses)	475,271 00
Superior Court, Civil Session	
(Clerk's Office)	124,040 89
Superior Court, Criminal Session,	357,534 07
Probate Court	20,820 00
Municipal Court	318,638 53
Municipal Court, Charlestown	
District	25,794 90
East Boston District Court	23,871 40
Municipal Court, South Boston	
District	21,129 91
Municipal Court, Dorchester District	19,378 20
Municipal Court, Roxbury District	50,621 58
Municipal Court, West Roxbury	
District	17,675 68
Municipal Court, Brighton District	12,049 35
Boston Juvenile Court	23,588 91
District Court of Chelsea	20,460 80
Registry of Deeds	108,926 53
Index Commissioners	15,350 00
Insanity Cases	24,050 00
Land Court	4,800 00
Medical Examiner, Northern District	20,638 00
Medical Examiner, Southern District	12,731 78

Associate Medical Examiner, Northern District	1,898 00
Associate Medical Examiner, Southern District	1,898 00
Miscellaneous Expenses:	
Auditing Department	1,030 00
Collecting Department	1,170 00
Treasury Department	5,350 00
Sheriff	3,200 00
Granite Avenue Bridge	2,539 28
Social Law Library	1,000 00
House of Correction	205,153 30
	<hr/>
	\$2,384,770 73

County Debt Requirements.....	\$150,466 50
Printing Department	\$369,016 84
City Record, Publication of	\$23,937 25
Public Works Department, Water Service	\$1,290,715 91
Collecting Department, Water Division	38,396 12
Water Service, Debt Requirements	50,449 00
	<hr/>
	\$1,379,561 03

RECAPITULATION OF AMOUNTS ALLOWED.

From Taxes:		
For City Purposes within the Tax Limit.....	\$22,585,208 84	
City Debt Requirements.....	5,743,393 79	
		\$28,328,602 63
County of Suffolk:		
General Purposes	\$2,384,770 73	
Debt Requirements	150,466 50	
		2,535,237 23
City and County Total		\$30,863,839 86
From Revenue:		
Printing Department		369,016 84
City Record, Publication of		23,937 25
Public Works Department, Water Service	\$1,290,715 91	
Collecting Department, Water Division	38,396 12	
Water Service, Debt Requirements	50,449 00	
		1,379,561 03
Grand Total		\$32,243,400 89

BASIS OF ESTIMATES.

1921-22.	
Average valuation, \$1,526,365,954.67.	
\$11 on the thousand brings.....	\$16,790,025 50
Estimated income and cash in treasury	9,001,250 61
Amount available for appropriations inside tax limit.....	\$25,791,276 11
1922-23.	
Average valuation, \$1,557,388,410.46.	
\$12.25 on the thousand brings.....	\$19,078,008 02
Estimated income and cash in treasury	6,377,583 57
Amount available for appropriations inside tax limit.....	\$25,455,591 59

WAYS AND MEANS OTHER THAN TAXES.

1922-23.	
An estimate of the ways and means, other than taxes, of meeting the expenditures of the City of Boston and County of Suffolk for the financial year 1922-23.	
Boston Sanatorium	\$73,000 00
Building Department	28,000 00
City Clerk Department	16,000 00
Collecting Department	40,000 00
Collecting Bank Tax	14,000 00
Fire Department	50,000 00
Health Department	16,000 00
Hospital Department	188,000 00
Institutions:	
Infirmary Division	7,000 00
Child Welfare Division.....	5,000 00
Interest	500,000 00
Library Department	10,000 00
Licensing Board	25,000 00
Market Department	147,800 00
Mayor	40,000 00
Overseeing of the Public Welfare Department	228,300 00
Park Department	56,100 00
Pedlers' Licenses	2,500 00
Police Department	44,000 00
Public Buildings Department	17,000 00
Public Works Department	264,250 00
Registry Department	11,100 00
Soldiers' Relief Department	87,900 00
Street Laying-Out Department	40,000 00

Weights and Measures Department	12,000 00
County of Suffolk	315,500 00
Corporation Tax	2,000,000 00
Street Railway Tax	100,000 00
	<hr/>
	\$4,338,450 00
Available cash in treasury January 31, 1922	2,039,133 57
	<hr/>
	\$6,377,583 57

APPROPRIATIONS AND TAX ORDERS FOR THE FINANCIAL YEAR 1922-23.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year, upon the City of Boston or the County of Suffolk, or the departments or offices thereof, and to meet their respective obligations for interest on debt, sinking fund requirements and maturing debt not provided for by sinking fund, the respective sums of money specified in the tables and schedules hereinafter set out be and the same are hereby appropriated for the several departments and for the objects and purposes hereinafter stated.

Ordered, That the appropriations for Water Service, current expenses, and the payment to the state under the provisions of chapter 488 of the Acts of 1895, and acts in addition or amendment thereto, and for the interest and debt requirements for loans issued for water purposes, be met by the income of said works and any excess over income from taxes; that the appropriation for Printing Department be met by the department income and any excess over income from taxes; that the appropriation for City Record be met by the income of the publication and any excess over income from taxes; that the other appropriations hereinafter specified be met out of the money remaining in the treasury at the close of business on January 31, 1922, exclusive of the money raised by loan or needed to carry out the requirements of any statute, gift, trust or special appropriation, and by the income of the financial year, beginning February 1, 1922, and taxes to the amount of \$24,486,256.29, and that said amount be raised by taxation on the polls and estates in the City of Boston.

Ordered, That all sums of money which form no part of the income of the city, but shall be paid for services rendered or work done by any department or division for any other department or division, or for any person or corporation other than the City of Boston, be paid into the general treasury, and that all contributions made to any appropriation be expended for the objects and purposes directed by the several contributors thereof.

Ordered, That all taxes raised to meet the appropriations of the city and all taxes assessed for meeting the city's proportion of the state tax of the year 1922, or of any other taxes or assessments payable to the Commonwealth, be due and payable on the fifteenth day of October, 1922; that interest shall be charged on all taxes remaining unpaid after the first day of November, 1922, in accordance with the provisions of chapter 460 of the Acts of 1920, until paid, except the taxes assessed upon shares of national banks, which shall bear interest at the rate of 12 per cent per annum from the fifteenth day of October, 1922, until paid; and that all interest which shall have become due on taxes shall be added to and be part of such taxes.

Ordered, That except as the appropriation for any purpose or item shall be increased by additional appropriations or by transfers lawfully made, no money shall be expended by any department for any of the purposes or items designated in the tables and schedules hereinafter set out in excess of the amount set down as appropriated for such specific purpose or items, and except as aforesaid, no salaries or wages shall be paid in excess of the rates specified in said tables and schedules.

Passed under a suspension of the rule, yeas 8, nays 0.

BLEACHER SEATS, SULLIVAN SQUARE PLAYGROUND.

Coun. FORD offered an order—That the Park and Recreation Department, through his Honor the Mayor, be requested to furnish additional bleacher seats on the Sullivan Square Playground.

Coun. FORD.—Mr. President, I ask for a suspension of the rule on that order. I want to make it an official record, as the chairman of the Park Commissioners has promised to put additional seats on the Sullivan Square Playground. He has promised he would spend the necessary money for that purpose.

The rule was suspended and the order was passed.

PRICE OF ANTHRACITE COAL.

Coun. FORD offered the following:

Whereas, There has existed in the City of Boston for a number of years among the coal dealers of the City of Boston a fixed price per ton for anthracite coal, now therefore be it

Resolved, That the Boston City Council requests that the Fuel Commissioner for our Commonwealth investigate the causes and reasons for the existence of this situation.

The question came on the passage of the preamble and resolution.

Coun. FORD.—Mr. President, a long time ago, probably three or four years ago, when the Federal Fuel Commission was appointed and we had local fuel commissioners, I said that there was in the City of Boston a combination to control the price of anthracite coal. I pointed out at that time that there was a fixed price based upon \$9.50 per ton, which was the price before the war and which was taken by the Fuel Commission as the basis, the minimum, which was added to during the war, the first increase being 25 cents, and from that point the price of coal being increased step by step until it reached \$16 per ton. The price now stays at \$15.50 per ton for anthracite coal. At no time was there any increase that was not uniform among all the dealers. In other words, when the price was increased by the Metropolitan Coal Company, it was increased by every other dealer, large or small, in the City of

Boston, the same amount. It is because of a similar situation that the people of the city of Boston realize that the gasoline trust is in existence. In other words, when the price of gasoline is raised, whether by the Texaco Company, the Jenney Company, or the Standard Oil Company, the so-called Socony Company, there is a uniform increase made all along the line by all the subsidiary companies at the same time and for the same amount. A child, Mr. President, would know that when that condition exists, there is an understanding or agreement to control the price. Gentlemen, anything that affects the price of coal affects the price of an important necessity of life here in this community. Some time ago, when the Fuel Commission in this Commonwealth was about to go out of existence, I sat down and wondered whether or not that Fuel Commission was doing good work for the people of the Commonwealth. I wondered, Mr. President, whether or not the present Commission on the Necessaries of Life was trying to do something that would help the people. Why should we not wonder, Mr. President, when we realize that in Washington at the present time no effort is ever made to find out why there is a combination of anthracite coal operators in the state of Pennsylvania. As you know, all our anthracite coal comes from Pennsylvania, and when there is an increase of price per ton at the mines, the increase is uniform, showing that there is a combination, a trust, if you will, of coal dealers in Pennsylvania, who control the price of coal per ton. It is an odd statement to make, and one to be marveled at, that the United States government never has found out the basis for these costs. A long time ago, back in 1918, when I was in this body, I asked the Federal Fuel Commissioner to submit to the City Council of the City of Boston the overhead cost of the coal dealers—that is, their operating costs—in order to find out whether the price per ton they were charging was justified. Of course, as you know, Mr. President, they did not dare to submit those figures to the City Council. I offered at that time to go to the expense of putting a public accountant or accountants upon their books to find out why it was that a uniform price was charged. Of course, I did not get the information. All I found out was that the smaller dealers did not dare to give me any information because if they did their supply would be shut off. The Metropolitan Coal Company control a large portion of the coal coming into the City of Boston. In Washington at the present time, where they are making such a bungle of all national affairs, including about everything, they admit that there has never been in existence a commission that would find out absolutely what were the operating costs of the operators in Pennsylvania; and now, in order to appease the public if they can, with the strike on, the committee reports back a bill that has taken its name from one of the Congressmen, the bill now known as the Bland bill, which the papers are beginning to discuss, and in a news item I find a quotation verbatim from the report of the committee, as follows:

"It is a startling statement, but true, nevertheless, that today there is no agency in the federal government which has ascertained or can ascertain the correct production costs of a ton of coal in a well operated, efficient mine. Operators have ostensibly refused to give the committee their cost of production, and it is fair to presume that such reports as were made voluntarily to existing government agencies who did not have the right to examine books were padded and unreliable."

That is an exact quotation from the report of the committee reporting the Bland bill, which, of course, may or may not be virile legislation. There is some question as to whether or not there will be difficulty in Congress passing an act to compel these operators to disclose their operating costs. This commission is going to find out the facts, if it can, but I understand that it will take at least two years for the commission to make any kind of intelligent report, and the strike is now on. Whether or not these men give

the miners their full due and pay them their proper wages, we are going to find any increase in cost reflected more than 100 per cent—and probably more than 100 per cent—in the price of coal at the mine. As you well know, we cannot do very much here to find out what the cost per ton at the mine is. Washington is bungling that situation; there is no question of doubt about that. Washington does not even want us to find out that there is a coal combine in Pennsylvania, any more than it wants us to find out that the inflated and swollen interests control the terms of the present Fordney tariff act, that disgraceful bill that they are now trying at Washington to force upon the public. But locally we are going to get this information, if this commission up here at the State House will do the work cut out for it. I have suggested in the past four years to every investigating body I could think of—the United States District Attorney, the Attorney General, and the District Attorney of Suffolk County,—the investigation of the coal combination in the City of Boston, without success, Mr. President. When they investigated the fish trust it was a most momentous undertaking, because its affairs were so interwoven but it did not take them long to find out that there was a combination there. And here we find that prices of coal have been fixed for the last dozen years, within our experience, and yet there has been no investigation to find out whether or not there exists in Boston a combination. Mr. President, this means something. I had this very matter in mind when I asked that this Commission on Necessaries of Life be continued, so that it might do the work that I am going to ask it to do now. They put some teeth into the act creating that commission—which is chapter 325 of the Acts of 1921. I am going to quote from section 3 of that act:

"The commission shall have authority to give hearings, to administer oaths, to require the attendance and testimony of witnesses and the production of books and documents and other papers, and to employ counsel. Witness summonses may be issued by any member of the commission and shall be served in the same manner as summonses for witnesses in criminal cases issued on behalf of the Commonwealth, and all provisions of law relative to summonses issued in such cases shall apply to summonses issued under this act so far as they are applicable. Any justice of the Supreme Judicial Court or of the Superior Court may, upon application of the commission, compel the attendance of witnesses and the giving of testimony before the commission in the same manner and to the same extent as before the said courts."

Mr. President, that section of the act under which the commission was created has teeth in it. This commission can bring these people up there and make them disclose their figures and show their books, and it will not take long for that commission, if it does the work and does it properly, to find out that in the City of Boston a coal combine prevails. It must be so, with this fixed price for so many years, and it will not take long for the commission to show the facts to the satisfaction of the people. This agitation at the present time is timely, Mr. President, because, as surely as the sun will set tonight, unless we do something there will be nothing done. Washington is not doing it. The strike is on, and nothing is being done to prevent it. There is no investigation having in view the ending of the strike at all. No light is coming from the federal government to aid the people. It is here in Massachusetts and in New York that we are chiefly interested, and we are not going to be gouged any longer, if we can help it, by the coal operators in Pennsylvania, and then, when the coal gets here to the City of Boston, being gouged by this combination of coal dealers that exists in the City of Boston. Let this commission go to work. It has here a good job confronting it. Instead of issuing statements about their activities in various directions which do not interest the people to a great degree, let the commission spend the next month or two

months, if necessary, in finding out what the people want to know—whether or not there is this combine, because every householder in the City of Boston protests against the price charged for coal in recent years, when in 1907, 1910, and thereabouts, all we paid for coal was \$7.50 per ton. If it is necessary to suspend the rule, I ask for a suspension in order that the preambles and resolutions may be placed upon their passage now. If there is any objection I am perfectly willing that the matter should be referred to the Executive Committee.

Coun. WATSON—Mr. President, I am in hearty sympathy with the suggestions made by the gentleman who has just taken his seat concerning some action looking to an investigation of what I consider to be deliberate extortion on the part of the coal dealers not only of Boston but of the whole country. I believe, as he believes, that a combination exists. But I cannot help remarking at this time, when I think back a week or two, that it is rather strange that the gentleman put in an order to continue in office the present gentleman, Mr. Hultman, as Commissioner of Necessaries of Life, especially when he reads from the act passed by the Legislature in 1921, showing that there were some teeth put into the act at that time. A whole year has passed, a year and four months, and yet this man Hultman has apparently never made a move to bring about a reduction in the price of coal, if possible, or to find out if such a combination exists. I did not know that such an act was in effect and that it had such teeth in it or, if it was in effect, that it had been in effect since January, 1921. For the past sixteen months this man Hultman has been Commissioner of Necessaries of Life.

Coun. FORD—May I interrupt the gentleman?

Coun. WATSON—Yes, sir.

Coun. FORD—I did not know it myself, not having seen the act in the Acts and Resolves until the report of the Special Commission on Necessaries of Life was printed, about a month ago.

Coun. WATSON—Well, then, some of us have not been on the job. I think Hultman certainly has not been on the job. If there is an act on the statute books that gives him the power that I judge he has under this act, then I say there must be something to my suspicions that that is not unkindly toward the coal magnates of Boston. What is the reason for it? That act has teeth in it. I am no lawyer, but even I can understand common English. He apparently has all the power necessary. Now the question is, is he the proper person to do what that act calls for? I assume that he has the power under the act. Perhaps Coun. Ford can answer that question for me.

Coun. FORD—Mr. President, it says here that the commission shall have authority to give hearings and to employ counsel. So I suppose, if he has the power to employ counsel, that means that he can hire the necessary legal help.

Coun. WATSON—Well, my guess is that he has spent the appropriation. That is another one of the things that the Legislature does—passes legislation full of loopholes, legislation with jokers in it, something to confuse the public mind, so that they will think that they are getting something when they are getting nothing. I have been affected by the coal prices in Boston as much as any other member of the body, and I am not here speaking in opposition to a resolution offered by the gentleman opposite. But let us go further. There must be some legislation on the books that prohibits conspiracy, such as we think exists but cannot prove. The person to investigate this is the Attorney-General of the Commonwealth, and if he is as keen on getting rich crooks as smaller ones, he ought to stir himself in the matter. I should like to ask the gentleman to agree to submit this, instead of to the Commissioner on the Necessaries of Life, to the Attorney-General of the Commonwealth. I would suggest that the resolution be remolded so that it will mean some-

thing, because if Hultman has gone a year and four months without attempting to change conditions, in spite of the fact that he has this power, he is unfit to continue in the office; and if he has not had the power to do anything, his office ought to be abolished, because it is worthless. To be frank with you, I am suspicious in this matter. Therefore, Mr. President, in order that we may do something here today, following out the wishes of the member opposite, and doing something that will benefit the public, instead of merely passing an empty resolution, I trust that we will amend the resolution as I suggest. Let us not pass a resolution that will mean nothing. If the man at the helm is not desirous of doing something, then we ought to go to work and pass a resolution with teeth in it. Therefore, I would like to have this go to the Executive Committee for consideration.

Coun. FORD—Mr. President, I would simply say in reply to Coun. Watson that I don't think we ought to substitute "Attorney-General" for "Fuel Commissioner," for several reasons. I do not know, and the councilor opposite does not know, whether this commission will do the work, but I am going to find out. I don't know whether that commission has been appointed to bluff the public or not, but I am going to find out. As far as Mr. Hultman is concerned, I don't know the gentleman's past history. I understand that the gentleman opposite (Coun. Watson) does know something of his past history. But I am going to find out whether that Commission on Necessaries of Life can and will do something in this matter. I am not going to say that it was appointed in order to simply appease the people, but when they see the conditions obtaining at Washington in the matter of the coal trust the people are beginning to wonder whether or not the tentacles of that trust, like those of an octopus, are wrapped around us here in the City of Boston, winding around the necks of all of us. We will find out, first, whether the commission has power to furnish the facts. Let us first ascertain that, and then, if we feel it necessary later to call upon the Attorney-General to move in the matter we can do that. If I find out that the Commission on Necessaries of Life will not do the work, I will then put it up to somebody else pretty cold. But I want to find out, have it made clear, whether the Commission on Necessaries of Life is subject to the will of the public, whether it is on the level, and whether it will give us the facts we desire. I admit that that is my express purpose in introducing the resolution, and I wish to have it stand in the exact form in which I have introduced it.

Coun. WATSON—I would like to ask the gentleman opposite his opinion of the Commissioner he refers to, when he knows that this act has been on the statute books since January, 1921, sixteen months ago, and not a move has been made? What is his opinion of the commissioner, having that in mind?

Coun. FORD—I don't want to give that opinion. But if this commissioner, when the matter has been brought to his attention, under this act which has been in existence for sixteen months, will not act, I want to find that out. That is just what I am doing now. Let us find out whether he will act; let us find out whether Hultman is a servant of the people or a servant of the Republican interests and wound up with the financial interests. There is no question of doubt today that Washington is held in the vice-like grip of special financial interests. Let us find out promptly whether we are in such a grip, too, and if that is so we have tremendous problems to solve.

Coun. WATSON—Mr. President, as long as we have both made our campaign speeches, I am perfectly willing to have it go to the Executive Committee and to have it threshed out there.

The preamble and resolution were referred to the Executive Committee.

EQUIPMENT OF BUILDINGS FOR VETERANS.

Coun. GILBODY offered an order—That the trustees of the George R. White Fund be requested to consider the advisability of providing sufficient money from said fund to properly equip for occupancy such public buildings as are now occupied publicly by patriotic bodies of Boston.

Coun. MORIARTY—Mr. President, what does that order mean?

Coun. GILBODY—Mr. President, I am entirely willing to have the order referred to the Executive Committee.

(The order was read, at the request of Coun. Moriarty.)

Coun. MORIARTY—Mr. President, who is going to give the definition of "patriotic bodies?"

Coun. GILBODY—Mr. President, I am entirely willing to have a substitute order considered before the Executive Committee. The import of the order I have offered is this, that we here in Boston have been patriotic in the past and will always continue to be patriotic. Following along that line, we have allowed to be occupied in various parts of the city certain buildings by various veterans' organizations. But they merely have the shell of the buildings, and the purpose of this order is to see if we could not get some money to enable the veterans to fit up the buildings they have secured. I thought possibly that order might be considered as suggesting a purpose that would properly come within the intention of the George R. White Fund. I feel certain that sufficient money for the purpose is not available from our ordinary sources of income at the present time. It seems to me that the purposes that this man White had in mind might well be carried out by something along this line. For that reason I have introduced the order. If agreeable to the members, I am entirely willing to discuss it in Executive Committee.

Coun. MORIARTY—Mr. President, I have no objection if the words "veterans' organizations" are put in, but I read a bill that was passed in the Legislature the other day providing that armories in the state might be opened to certain organizations such as, naming one, the Chamber of Commerce. On the question of whether that is a patriotic organization I may disagree with somebody. There may be some members of this body with whom I would disagree in regard to the Chamber of Commerce. But if the words "veterans' organizations" are put in the order I would be satisfied to vote for it.

Coun. GILBODY—Mr. President, I am entirely satisfied to substitute those words "veteran organizations" for the words "patriotic bodies."

The order was amended by striking out the words "patriotic bodies" and inserting in place thereof the words "veteran organizations," and as amended was referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3.05 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members reassembled in the chamber and were called to order by the President at 5.30 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor, communication and order (referred today) for sale, after due advertisement, of old materials—that the order ought to pass.

Report accepted; order passed.

2. Report on message of Mayor and order (referred today) that the Commissioner of Public Works be authorized to expend a sum not exceeding \$5,000 for ice for drinking

fountains during the summer season—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

3. Report on order (referred today) that the trustees of the George R. White Fund be requested to equip for occupancy such public buildings now occupied by veteran organizations—that the order ought to pass.

Report accepted; order passed.

4. Report on preamble and resolution (referred today) as to the cause of the fixed price for anthracite coal among the coal dealers of Boston—that the preamble and order ought to pass.

Coun. WATSON offered the following as an amendment to the order reported by the committee.

Ordered, that the District Attorney of Suffolk County be requested to ascertain whether or not the coal dealers of Boston are in a conspiracy to fix the prices relating to anthracite coal.

The question came on the adoption of the amendment.

Coun. FORD—Mr. President, I want to say that I, being the author of the original order, am going to vote "no" on this amendment, but I do not want to be understood by doing so as indicating that I don't want the District Attorney to investigate the coal situation. He knows all about it, and can investigate the matter. But I want the commissioner dealing with the fuel situation for the state to examine into the matter. If Coun. Watson introduces a separate order along the line of his amendment, I will, of course, vote for that. But I don't want to have the teeth taken out of my order by a substitute. If the suggested amendment is introduced as a separate proposition, I will vote for it, but I don't want to have my order mutilated. The gentleman can himself introduce it as a separate order. I said in committee meeting that I did not care if he wished to introduce a separate order to have the District Attorney look into this matter. But I do not want my order passed as I have introduced it. I think the people should know whether the State Commissioner is for the people or against them.

Coun. WATSON—Mr. President, I am perfectly willing to have both orders passed at the same time.

Coun. FORD—Well, Mr. President, I am not rowing the gentleman's boat. I say, as a matter of record, that I am not against the District Attorney looking into the situation, but I am against having my order amended so that the Commissioner on Necessaries of Life will not look into the situation.

Coun. WATSON—Well, Mr. President, I want my substitute motion acted upon at this time. If it fails of passage as an amendment, I will introduce it again independently, immediately afterwards.

Coun. DONOGHUE—Mr. President, I will say that I am in favor of both motions and will vote for both if I am given an opportunity to do so.

Coun. Watson's motion to substitute his order for the order reported by the committee was lost, yeas 4, nays 5:

Yeas—Coun. Donoghue, Hagan, Lane, Watson—4.

Nays—Coun. Brickley, Ford, Gilbody, Moriarty, Walsh—5.

The order as reported by the committee was passed, yeas 9, nays 0.

Coun. WATSON offered an order—That the District Attorney of Suffolk County be requested to ascertain whether or not the coal dealers of Boston are in a conspiracy to fix prices relating to anthracite coal.

The order was passed, yeas 9, nays 0.

5. Report on message of Mayor and order (referred today) for invitation to have the 5th Regular Infantry, U. S. A., participate in the Memorial Sunday services, May 21 and May 28—that the order ought to pass.

Report accepted; order passed.

6. Report on petition of James H. Brennan *et al.* (referred April 24) for disapproval

of granting gasolene permit at Beach street, Charlestown—recommending the passage of the following, viz.:

Ordered, That the granting of a permit to the Charlestown Storage and Warehouse Company for keeping of oil and gasolene at 55 and 56 Beach street, Charlestown, be and the same is hereby disapproved.

Report accepted; order passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 and 2, viz.:

1. Action on appointments submitted by the Mayor May 1, 1922, of the following-named persons to be Constables: Leo Carroll, Abraham Greenside, Alfred Ray Mitchell and John P. Shepard.

2. Action on appointment submitted by the Mayor May 1, 1922, of Patrick J. Kellard to be a Weigher of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Donoghue. Whole number of ballots cast 9, yeas 9, and the appointments were confirmed.

RELEASE OF CITY LAND.

President BRICKLEY called up unfinished business, No. 3, viz.:

3. Ordered, That his Honor the Mayor be and hereby is authorized and empowered in the name and behalf of the city and for a nominal consideration to release and quit-claim unto the Roman Catholic Archbishop of Boston, a corporation sole, all the right, title and interest of the city, if any it has, in and to the fee and soil of a private way called Gately street, leading easterly from Samoset street in the Dorchester district of said city, and in and to the sewer in said Gately street, which sewer was built in or about the year 1900 by and at the expense of Edward Gately and was released by him to the city by an unrecorded instrument dated and acknowledged August 15, 1900, and on file in the office of the Commissioner of Public Works of said city.

On April 24, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 9, nays 0.

ACTION ON CONSTABLES' APPOINTMENTS.

President BRICKLEY called up unfinished business, No. 4, viz.:

4. Action on appointments submitted by the Mayor April 17, of the following-named persons to be Constables: Powhatan Bagnall, Carleton N. Baker, Thomas Cannizarro, Frank I. Cohen, James B. Cushing, Achille Forte, Rosario H. Gagnon, Lionel De Jersey Greene, Harry Jaffe, Joseph F. Meroth, Michael W. Ober, John S. H. Petit, George Ramacorti, Julius Rosenblum, Warren F. Russell, Frank Shaw, Thomas Spinelli, Harry Van Dam.

The question came on confirmation of the Mayor's appointments.

Coun. DONOGHUE—Mr. President, I move that we postpone action for one week on the name of Harry Van Dam, in order to give me an opportunity to present evidence that I have that he sent out a communication assessing for a special notice an additional \$2 for the collection of a poll tax. I don't know what alibi he will offer when I show him the evidence, but I have it and I will produce it.

Coun. MORIARTY—Mr. President, I would also like to have postponed action on the names of Mr. Powhatan Bagnall, Mr. Frank I. Cohen, Mr. James B. Cushing, and Mr. Frank Shaw.

If I have forgotten anybody who is in the employ of detective agencies, I hope some of the rest of the members will hold them up.

Coun. WATSON—Mr. President, I think we ought to vote on this proposition today, with the exception of the name specified by Coun. Donoghue. We can vote "Yes" or "No," but I think we ought to take some action. We cannot get any more information than we already have, and I think we ought to vote today.

Coun. MORIARTY—Mr. President, I don't think it is fair to pick out a name that one member of the Council wishes to have action postponed on and not give any other member the same opportunity. Coun. Watson does not know what is in my mind, if he does know what is in Coun. Donoghue's mind. He has not talked to me in regard to the matter. If he has talked to Coun. Donoghue and knows what his thought is, he certainly has not talked to me and does not know what my thought is. I feel that I should have an opportunity to have these names go over for a week, in order to look further into the cases that I have asked to have held up. Of course, if that courtesy is not to be granted me, that is up to the Council.

Coun. WATSON—Mr. President, I have no desire to be discourteous to the member opposite. I realize his position in regard to the constables. He will not vote favorably for a single constable, whether there is merit in the particular case or otherwise. I realize that, and he has said so. That is why I think we might just as well vote today. I believe he will vote "No" anyway, and that is the reason why I think the action I suggest is proper. But if the Council thinks right to give further time on the names Coun. Moriarty has suggested, until next Monday, I have no objection. He will, however, vote "No," of course, next Monday. He has told us that.

Coun. MORIARTY—I have not said, Mr. President, that I will not vote for any that have merit, but I haven't found one coming before us that has any merit, not one single one. Why, Shaw has lied here today, and he lied here a week ago today. Bagnall lied a week ago today and lied today. I think it is a disgrace for any member of the Council to vote for the likes of them, either one of them. As for Cohen, why, he is so crooked that he could lie on a corkscrew. He told you that he had been a copper all his life, that he had always done work of that kind. If that is the kind of people who are going to be appointed to go out to our citizens in this way, and we are going to vote to confirm them, then they ought to send some of us back to private life. Shaw said he was only joking in his statements here. I am serious. If he cannot be serious he ought to be sent to private life and not be given the privilege of wearing a constable's badge, carrying a gun and a club, because he has not the right temperament to carry them. I think if some little boy ran up to him coming from the dances where he said he carried a gun he might shoot him. Everybody believes that this man Bagnall paid for part of the office of Harry Van Dam. He said so here last week, as Coun. Watson and every other member of the Council know, and then Van Dam comes in here and says he does not pay anything, and Bagnall then says that he was paying for the work in City Hall. There were no words used in regard to City Hall in the conference before the Executive Committee last week. I feel that those men should be held up, and I request that they be held up.

Coun. WATSON—Mr. President, I am perfectly willing that they should be held up until doomsday, but I feel sure that our action on these constables will be just the same a week from today as it will be today. I don't defend the constables. I am going to vote against some of them here today. But there are men of merit among them. I don't believe in voting against a man because he tells the truth and voting to confirm others who are lying.

We all know that there is not a constable in Boston, whether he is paid by the county or not, who isn't a detective from the moment he gets his commission. What is the use of bluffing ourselves? They have to be detectives, more or less, in that line of business, and I agree with Coun. Moriarty that it is a pretty cheap line of business to be in. I wouldn't be in it for all the money they get out of it. I say that, in my opinion, it is a mighty cheap job. I feel the same about policemen, but they are necessary evils. What is the use of talking—we have to have them. I am not defending them. Other members feel as I do, but they are keeping their feelings down here and I am speaking out. Coun. Moriarty has frankly told us that he intends to vote against confirmation of practically everybody on the list. He will not give them another chance, putting them on trial. Well, he undoubtedly means what he says, and I mean what I say, but what is the use of talking? They are a poor lot, at best. When a man comes out and says frankly, "Yes, I have done detective work and I will do it no more," that man ought to meet with our approval in a way, rather than the man who is not frank about the matter. Coun. Ford is a lawyer and has occasion to employ constables, and I believe he will bear out what I say, that the moment a man becomes a constable he becomes a detective.

Coun. FORD—No, I don't know about the detective business.

Coun. WATSON—Oh, come out and be frank about it.

Coun. FORD—I am.

Coun. WATSON—No, there is nothing frank about you except your name, and that is an accident. I know, and you know, that, of course, every single constable is a detective, and some lawyers are. But I am perfectly willing to let this matter go over for another week. But they are all detectives, Coun. Moriarty.

Coun. MORIARTY—Mr. President, I disagree with the councilor on the other side when he says that they are a necessary evil. It is not necessary to have one constable in the City of Boston, Coun. Watson. When Shaw stood up there and told you that he carried a lot of money, why, a constable is not allowed by law to serve a writ for over \$300. So far as any money that he has collected through the use of his commission was concerned, he would only have \$300, anyway, if he made one collection. Now, we have a sheriff's office, with men there who are paid by the county. They are under the control of the county, and let us have those men do the serving of summonses, the serving of writs and the serving of tax levies, if the city so desires. If that is not desired, let some of the people who have been talking unemployment put men into the collector's office, over whom we will have absolute control, to help bring in the taxes. I am not against the collection of taxes but against the methods. This is a crowd of skunks, in my estimation, and there is nothing, I believe, too strong to call the whole of them. When we are told that these constables are a necessary evil, they absolutely are not a necessary evil. If Van Dam didn't want to collect some of this money, and did not want to scare unfortunates, he would not want a constable's commission. I realize that politically I am driving 100 or 150 men in the city absolutely against me, but I am satisfied to take that position. When you said that I was prepared to vote against the whole of them, yes, I am prepared to vote against every individual who has come here asking to be appointed a constable to serve civil process. I am willing to vote for all those appointed by the city to do the work for the city. But as for those working for lawyers, the lawyers wouldn't hire them except that they can get them a little cheaper than they would be able to have men sent out from the sheriff's office. It would cost them a little bit more if they had men sent out from there. So far as saving money is concerned, we are saving money for the attorneys of Boston, whereas the sheriff's office would serve the

papers just as well, and better in most instances, and we would thereby stop this carrying of a three-pound club or a one-pound club, such as Shaw carried, or a gun, by irresponsible people like Shaw.

The Council voted to postpone for one week action on the names of Powhatan Bagnall, Frank I. Cohen, James B. Cushing, Frank Shaw and Harry Van Dam.

The question came on confirmation of the remaining names. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast, 8, yeas 7, nays 1, and the appointments were confirmed.

JOHN BATES SQUARE.

President BRICKLEY offered an order—That the space at the junction of Parkman

and Blossom streets be named John Bates square, in memory of said Bates who died in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping the same would not prevail. Lost.

Adjourned at 5.54 p. m., on motion of Coun. MORIARTY, to meet on Monday, May 15, at two o'clock p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, May 15, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. HAGAN.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1922, viz:

1. Cornelius J. Reidy, 56 Calumet street, Boston, to be a Weigher of Goods.
2. Benjamin H. Cohen, 61 Norwell street, Dorchester, to be a Weigher of Coal.
3. Edward Bigelow, care of A. J. Tower Company, corner Vernon and Simmons streets, to be a Weigher of Coal and a Weigher of Goods.

Severally laid over under the law.

VETO.—REINSTATEMENT OF MICHAEL N. O'MEARA.

The following was received:

City of Boston,

Office of the Mayor, May 12, 1922.

To the City Council:

Gentlemen,—I am returning herewith, without my approval, the resolution adopted by your honorable body on May 1 favoring legislation for the reinstatement of Michael N. O'Meara in the Fire Department.

The accompanying report of the Acting Fire Commissioner contains sufficient facts to justify the action here taken.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

Fire Department, May 8, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—In response to your memorandum of May 3, 1922, in reference to the following resolve of the City Council,

"Resolved, That the City Council of Boston favors legislation for the reinstatement of Michael N. O'Meara in the Fire Department."

I would respectfully advise your Honor in this case, the same as in the others that have come before me, that in my opinion legislation of this character would be detrimental to the best interests of the City of Boston and the Fire Department.

Michael N. O'Meara was appointed to the Fire Department June 21, 1918, and resigned, "to accept another position," October 4, 1918, after serving in the department less than four months. I cannot find anything in his record of service to warrant special legislation in his behalf.

Since February, 1917, there have been approximately 130 other men many of whom are veterans of the World War, who resigned from the Fire Department to better their conditions, and I am informed, because of the great number of applications for reinstatement, that it was necessary, in October, 1919, to adopt the policy that all future resignations would be accepted on the condition that the men would not be reinstated. It seems hardly fair that special legislation should be enacted in favor of men like O'Meara who left the department during the war to accept more lucrative positions, while veterans, now on the civil service list, were serving their country at one dollar per day.

If your Honor approves of special legisla-

tion for O'Meara you may be asked to do the same for any or all the many who resigned under the same conditions. In addition to this it would be a great injustice to men who are now on the eligible list for appointment to the Boston Fire Department. Many of these men are World War veterans, and have been waiting to be called into the fire service.

An order of this character, if approved, would establish a dangerous precedent which might cause much trouble to the Fire Department and result in considerable harsh criticism.

Yours very truly,

WILLIAM J. CASEY,

Acting Fire Commissioner.

Placed on file.

VETO.—REINSTATEMENT OF JOSEPH W. MURRAY.

The following was received:

City of Boston,

Office of the Mayor, May 8, 1922.

To the City Council:

Gentlemen,—I return herewith, without my approval, an order of your honorable body for the reinstatement of Joseph W. Murray, for the reasons as set forth in the appended communication from the Acting Fire Commissioner, William J. Casey.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

Fire Department, May 5, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—In response to your memorandum of April 25, 1922, in reference to the following resolve of the City Council,

"Resolved, That the City Council of Boston favors legislation for the reinstatement of Joseph W. Murray as a member of the Fire Department of the City of Boston."

I would respectfully advise your Honor that in my opinion legislation of this character would be detrimental to the best interests of the City of Boston and the Fire Department. A similar resolve was passed by the City Council February 21, 1921, in the interest of Murray and was not approved by Mayor Peters.

Joseph W. Murray was appointed to the Fire Department on July 20, 1914, and resigned February 25, 1917, to go to the Police Department. He left the Police Department September 9, 1919, during the policemen's strike. He is now thirty-seven years of age and has been out of the department a little over five years. I cannot find anything in his record of service in this department to warrant special legislation in his behalf. He is not a World War veteran.

Since Murray left the Fire Department there have been approximately 130 other men, many of whom are veterans of the World War, who resigned to better their condition, and I am informed, because of the great number of applications for reinstatement, that it was necessary in October, 1919, to adopt the policy that all future resignations would be accepted on the condition that the men would not be reinstated.

Aside from this it would be a great injustice to the men who have successfully passed the civil service examination and are now on the eligible list for appointment to the Boston Fire Department. Many of these men are World War veterans and have been waiting to be called into the fire service. If your Honor approves of special legislation for Murray you may be asked to do the same for any or all of the many who resigned under the same conditions.

An order of this character, if approved, would establish a dangerous precedent which might cause much trouble to the Fire Department and result in considerable harsh criticism.

Yours very truly,

WILLIAM J. CASEY,

Acting Fire Commissioner.

Placed on file.

VETO—PERMIT TO CHARLESTOWN STORAGE AND WAREHOUSE COMPANY.

The following was received:

City of Boston,
Office of the Mayor, May 10, 1922.
To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order passed by your honorable body on the 8th instant refusing to grant the permit to the Charlestown Storage and Warehouse Company for the keeping of oil and gasolene at 55 and 56 Beach street, Charlestown, for the reason that, in my opinion, the granting of this permit will result in the establishment of a new industry at this point and make possible a development that will add to the taxable value of this particular site without injury to adjoining property.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Placed on file.

RELEASE OF CITY LAND, NORTH END.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1922.
To the City Council:

Gentlemen,—I am transmitting herewith a communication from the Secretary, Board of Street Commissioners, requesting the release of any rights the city may have in a triangular lot of land at the southerly corner of Snow Hill street and Sheafe street, which was discontinued as a public way by an order approved by the Mayor October 30, 1914, and which was purchased by James A. Doherty. I respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Street Laying-Out Department,
May 10, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—By an order of the Board of Street Commissioners, approved by the Mayor October 30, 1914, a portion of Snow Hill street, at the corner of Sheafe street, North End district, was discontinued as a public way.

This action was taken on the application of James A. Doherty, the owner of the estate abutting the portion so discontinued, who paid the City of Boston three hundred dollars (\$300) for the addition to his holdings which he thus acquired. This parcel of land is shown on a plan attached hereto, contains approximately ninety-four (94) square feet, and was considered at the time of the discontinuance to be of no importance to the city so far as its use for street purposes was concerned.

Ever since that action was taken, the payment of three hundred dollars (\$300) having been duly made, the Dohertys have relied on their reversionary rights establishing their title to this piece of land, but have recently discovered, in connection with a projected sale of their estate, that the prospective purchasers were unwilling to take a conveyance of the property unless they (the Dohertys) could establish their title to the discontinued parcel by a deed in regular form. This would have to run to them from the City of Boston, and I am directed to call the matter to your attention now for the purpose of suggesting a Council order authorizing the Mayor to execute and deliver such a deed.

The Board believes that this would be the proper thing to do under the circumstances, as the city was paid for whatever rights it had in the land at the time of the discontinuance, and because it would enable the Dohertys to make a sale of their entire estate, which they are anxious to do.

Respectfully yours,

JOSEPH A. SULLIVAN,
Secretary.

Ordered, That his Honor the Mayor be authorized in the name and behalf of the city, to execute, for a nominal consideration, a deed in form satisfactory to the Law Department conveying to James A. Doherty all the rights, if any, the city has in a triangular lot of land at the southerly corner of Snow Hill street and Sheafe street, containing 94 square feet, more or less, said lot being a portion of Snow Hill street, discontinued as a public way by an order of the Board of Street Commissioners approved October 30, 1914.

Referred to the Committee on Public Lands.

PURCHASE OF CITY LAND, WEST ROXBURY.

The following was received:

City of Boston,
Office of the Mayor, May 15, 1922.
To the City Council:

Gentlemen,—I transmit herewith a communication from the Boston Elevated Railway Company proposing to purchase from the city a portion of its land on Spring street, West Roxbury, for the purpose of establishing a loop at this point.

The parcel in question contains about 50,000 square feet and is a part of the old Parental School property, containing about 2,000,000 square feet.

In my opinion the city can well afford to dispose of this piece of land for the convenience of the public, and I accordingly recommend the passage of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Board of Trustees,
Boston Elevated Railway Company,
Boston, May 5, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—The Public Trustees of the Boston Elevated Railway Company desire to establish a loop at the end of the Spring street line so as to avoid public inconvenience and unnecessary expense in the shifting of trailers at the end of the route and for the improvement of the street railway service. The best location for such a loop is the land at the corner of Spring street and Charles river, which is part of a large tract of land belonging to the City of Boston. We would need about 50,000 square feet of land as shown on the plan inclosed. This parcel is at present very low and would require about 11 feet of filling to bring it up to a suitable grade. As the city has nearly 2,000,000 feet of other lands in their tract, it would not seem to be urgently necessary for the city to retain this parcel for other purposes. Inasmuch as it is in a most favorable location for street railway purposes, this company can afford to go to the expense of filling it.

Will you kindly advise me whether the city would be disposed to sell this parcel of land. I would greatly appreciate it also if you would indicate what you consider a fair value for the land, and if we think it is within reason I think we can meet your price.

Very truly yours,

EDWIN DANA,
General Manager.

Ordered, That his Honor the Mayor be and hereby is authorized in the name and behalf of the city and by a deed in form satisfactory to the Law Department, to convey to the Boston Elevated Railway Company for a sum not less than twenty-five hundred (2,500) dollars, a parcel of land on the northerly side of Spring street at the Charles river, containing about 50,000 square feet, with such reservations as he may deem necessary for public access to the bank of the river and any public landing which is or may hereafter be established thereon.

Referred to the Committee on Public Lands.

SALE OF WOODEN HOUSE, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, May 12, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the Superintendent of Public Buildings relative to the sale of a wooden house, which is located on a plot of land at the junction of River and Winthrop streets, Hyde Park, taken for municipal purposes by an order approved January 16, 1922, and I respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
May 5, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I wish to advise you that the Board of Street Commissioners took for municipal purposes a plot of land located at the junction of River and Winthrop streets, Hyde Park, Mass., and on this land is a wooden house which will have to be disposed of before the lot can be graded up.

In consideration of these facts I respectfully suggest that the same be disposed of by public auction and that the necessary permission be obtained as usual from the City Council.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That the Board of Street Commissioners be authorized to sell at public auction at a price not less than fifteen hundred (1,500) dollars a wooden house located on plot of land at the junction of River and Winthrop streets, Hyde Park, which was taken for municipal purposes by order approved January 16, 1922.

Referred to the Committee on Public Lands.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Adams Brothers, for refund of amount paid for ash tickets.

Margaret E. Brady, to be reimbursed for injuries received and expenses incurred on account of being knocked down by a city automobile.

A. Delschlager, for compensation for damages at 10 and 12 Ritchie street caused by the blocking up of sewer.

Helen J. Devine, for compensation for injuries caused by a fall on sidewalk at 3 Oliver street.

Benjamin Halperin, for compensation for damage to automobile by fire apparatus.

Agnes M. Haney, to be paid for a boiler at 160 Washington street, Brighton, burst because of work in the street by the Walter Division.

Isaac Helman, for a hearing on claim for injuries caused by a fall in front of 130 Brighton street.

Elbert LeRoy Monroe, for payment for an ash can at 37 Oakley street, Dorchester, destroyed by employees of the Sanitary Division.

Marie J. Savary, for compensation for injuries caused by a fall on Boylston street, in front of the New Old Church.

Max Schneiderman, for a hearing on his claim on account of injuries caused by a fall in front of 39 Lynde street.

Archibald Waterman, for compensation for damage to automobile by a runaway team of the Public Works Department.

Mina P. Johnson, for compensation for injuries caused by a defect in sidewalk in Washington street, between Nos. 360 and 364.

Executive.

Owen McDermott, for retirement under the provisions of chapter 765 of the Acts of 1914. Petitions for permits to sell, rent or lease firearms, viz.:

Edward Bean, 1904 Washington street, Ward 12.

H. Slessinger, 73 Dover street, Ward 6.

Petitions for permits for children under fifteen years of age to appear at various places of amusement, viz.:

D. M. Staley, president, Jordan Hall, May 10.

Jacqueline Mellor, Jordan Hall, May 20.

Mrs. G. M. Marden, Dudley Street Opera House, May 31.

Mabel Lyman, Lenox Hotel, May 19.

M. Teresa Connell, Jordan Hall, May 29.

Mary Rita Kirby, Whifton Hall, May 29.

Mt. Lebanon Cemetery Association, to use certain land on Baker street for burial purposes.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Carleton N. Baker, John J. Buckley, Thomas C. Carr, Thomas Cannizzaro, Joseph P. Cutter, Michael S. Drew, Levi P. Fernald, John H. French, Harris Friedberg, Edmund C. Grady, Edward C. Laskey, Alphonse Palumbo, Edward P. Rice, Reddick J. Royster, Henry Santosuosso, Roman J. Vasil, Maurice Zeeman.

Approved by the Council.

PRICES OF COAL.

A communication was received from the Commission on Necessaries of Life, Fuel Commissioner, relative to prices of coal.

Placed on file.

APPROVAL OF APPOINTMENT.

Notice was received from the Civil Service Commission of approval of appointment of Thomas C. Glynn as Schoolhouse Commissioner.

Placed on file.

APPOINTMENTS BY THE MAYOR.

Notice was received of the following appointments by the Mayor, certified copies of the same having been sent to the Civil Service Commission, viz.:

Thomas C. Dolan, Schoolhouse Commissioner.

James A. McElaney, Board of Appeal.

Placed on file.

NOTICE OF ORGANIZATION.

Notice of organization was received from the Park Commissioners, viz.:

James B. Shea, chairman; Daniel J. Byrne, secretary.

Placed on file.

NOTICE OF RESIGNATION.

Notice was received of the resignation of Anton H. Roth as constable.

Placed on file.

TRACK LOCATIONS.

Copies of orders were received from the Street Commissioners of the following track locations, viz.:

Eastern Massachusetts Street Railway Company, Walk Hill street, 8th location.

West End Street Railway Company, Huntington avenue, between Van Dyke and Tremont streets, 568th location.

West End Street Railway Company, Brattle and Washington streets, 569th location.

Placed on file.

SALARY OF DORCHESTER PROBATION OFFICER.

A communication was received from the justice of the Dorchester Municipal Court determining the salary of the probation officer of said court.

Referred to the Committee on County Accounts.

STORAGE OF GASOLENE.

Notice was received from the Board of Street Commissioners of hearings on Monday, May 29, at eleven o'clock a. m., on applications for storage and sale of gasolene.

Placed on file.

PENSION FOR MICHAEL BATH.

President BRICKLEY offered an order that chapter 369 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to Pension Michael Bath," be and the same is hereby accepted.

Referred to the Executive Committee.

MONEY FOR SOLDIERS' RELIEF.

Conu. GILBODY offered an order—That be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of \$300, said sum to be expended subject to the approval of the Committee on Soldiers' Relief by said commissioner in affording immediate relief to persons entitled to aid under chapter 79 of the Revised Laws and acts in amendment thereof and addition thereto.

Passed under a suspension of the rule.

TRANSFER OF CITY BUILDING.

Coun. GILBODY offered an order—That the Public Works Department be requested, through his Honor the Mayor, to transfer the city building located in Francis G. Kane square, Dorchester, to the Public Buildings Department so it may eventually be used for Francis G. Kane American Legion Post Headquarters.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.30 p. m., on motion of Coun. FORD to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 3.20 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Owen McDermott (referred today) for retirement under the provisions of chapter 765 of the Acts of 1914—recommending the passage of the following, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Owen McDermott, employed in the labor service of the City of Boston in the Public Works Department.

Report accepted; order passed.

2. Reports on petitions (referred today) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Petitions for permits for children under

fifteen years of age to appear at various places of amusement, viz.:

D. M. Staley, president, Jordan Hall, May 10.

Jacqueline Mellor, Jordan Hall, May 20.

Mrs. G. M. Marden, Dudley Street Opera House, May 31.

Mabel Lyman, Lenox Hotel, May 19.

M. Teresa Connell, Jordan Hall, May 29.

Mary Rita Kirby, Whiton Hall, May 22.

Reports accepted; permits granted on the usual conditions.

REIMBURSEMENT OF WILLIAM J. MAGEE.

Coun. MORIARTY offered the following:

Resolved, That the City Council of Boston favors legislation to authorize the city to reimburse William J. Magee for damage to his automobile by fire apparatus.

Passed under a suspension of the rule.

WATER MAIN, COTTAGE ROAD.

Coun. MORIARTY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to place a water main on Cottage road, West Roxbury, from Centre street to a distance of 800 feet.

Passed under a suspension of the rule.

ALEXANDER O'DONNELL SQUARE.

President BRICKLEY offered an order—That the Park Commissioners be requested, through his Honor the Mayor, to name the small park in Wolcott square, Readville, Alexander O'Donnell square, in memory of said O'Donnell, who died during the World War in service.

Passed under a suspension of the rule.

DISCUSSION OF COAL SITUATION.

Coun. FORD—Mr. President, I would move a reconsideration of the vote whereby the report of the Fuel Commissioner, Mr. Hultman, to this Council was placed on file, hoping that the same will not prevail. I want to say that I understand that one of the bulletin boards has interpreted that report, as I think I do myself, as saying that there is very little hope, in his opinion, of showing that there is an agreement in the City of Boston to fix the price of anthracite coal. Last week I introduced the order asking Mr. Hultman to investigate the price of anthracite coal in the City of Boston. It was suggested by one of the councilors that we put some teeth in the investigation, referring the matter to the District Attorney of Suffolk County. I voted for an order to do that, finally. I was perfectly satisfied to put the teeth in it, as suggested by the councilor. So the next morning I was sitting in my office when the telephone rang and Sergeant Carey said that he wanted to see me and that he would come right down. I told him not to come down, but to wait right there, and I would go right up, which I did. When I got up there, the genial sergeant handed me a summons to appear forthwith before the grand jury. I was glad to do it, and did it. But you know, Mr. President, that among experienced attorneys, men who have been at the bar for some time, it is not the proper procedure to summon an attorney to appear before such a tribunal. The proper procedure is to ask him to come up and give the facts, not to issue a summons. That makes little difference, but it showed the attitude of the District Attorney at the outset, if not during the whole proceeding, toward me individually. However, I went into the grand jury room and was asked what I knew about the fixing of coal prices. I have no criticism

whatsoever to make of the grand jury, and anything I may say is not intended to criticize that body in the slightest particular. They take the facts that are given to them, and make their report upon the facts presented by the District Attorney. The District Attorney is responsible for the facts presented and the manner in which they are presented, and for the material, the substance contained in the facts. I told the grand jury that in the City of Boston there was a fixed price for coal, that there was an entire absence of competition among the coal dealers, and I maintained that because of that basic fact there was an agreement to fix the price of coal. You all remember, Mr. President, the decision in the Pelletier case. You know, some people think you cannot comment or say anything, or cannot introduce any evidence in a court of law, about the proceedings in a grand jury investigation. That is not the law. The law is that if there are any irregularities in the grand jury room on the part of the District Attorney, then the indictment, if one is returned against any particular individual or individuals, may be set aside, as it was set aside, you will remember, in the case of *Commonwealth v. Allen*, the present Attorney General of the State of Massachusetts. In that case one of the assistant district attorneys had made a comment upon the evidence in response to a question that was put to him by a grand juror, and Mr. Justice Fessenden, following the decisions of the Commonwealth, said that the indictment in that case was null and void. Now, the District Attorney of Suffolk County, while I was testifying before the grand jury, saw fit to comment upon the evidence. He said that this was a matter for the federal government, that it was a matter concerning violation of the Sherman antitrust act. That, Mr. President, was improper. That, Mr. President, was not in conformity with the law as laid down in the decisions of the Supreme Court of Massachusetts. He also said this, when I said that the fact that there was a fixed price, that there was an entire lack of competition, was the best evidence that there was in existence an agreement to fix the price, the District Attorney then said, improperly, that that was what is known in rhetoric, if you will, as a "*post hoc, propter quod*." Then I said to the District Attorney, in the presence of the grand jury, that I didn't know that the District Attorney could comment on the evidence. That, Mr. President, is in the record. Well, the next day I was summoned before the grand jury, again. I don't know whether I was brought up on a summons—no, a summons was not issued this time. I was in the outer chamber and the District Attorney said to me, himself, "What did you say that I commented on the evidence for?" I said to him, "You did comment on the evidence, didn't you? You remember the Latin words you used?" He said, "No, I don't remember them." I said, "You know that I am a graduate of the Boston Latin School, like yourself, and," I said, "they are in the record. The record will tell the story." He left me; he went in the grand jury room. I was summoned again—no, I was not summoned, not legally. I was asked then to step into the grand jury room again. I did so, and I was then interrogated by another assistant district attorney, Mr. Fielding, who asked me whether or not I had said that the District Attorney had commented upon the evidence. I said, "Yes, I said it, and you did, sir." He said, "It is not in the records." I said, "It ought to be, but I once called the attention of the official stenographer to the matter of whether or not I was going too fast, and it may be left out. I don't know." The District Attorney looked over the transcript of evidence, and he tossed it to his assistant district attorney, and he said, "I don't see it; it is not there." Mr. President, if those Latin words that I have quoted here are not in that transcript of evidence that I gave before that grand jury, showing that the District Attorney did comment upon the evi-

dence in the course of that inquiry, then I am absolutely wrong. Some one has said that I am a candidate for District Attorney. That is true; I am. It may be my veracity against the District Attorney's but if the Latin words where he comments upon the evidence as I gave it to the grand jury are not present in the transcript of the evidence, if, I say, in a sworn transcript of the evidence, or a transcript sworn to by the official stenographer, setting forth a full account of what was said, those Latin words do not appear, tending to say that because a result exists the reasoning is sound or the causes are there, namely, "*post hoc, propter quod*." Mr. President, I would immediately send to the public press a statement saying that I retire from the contest for District Attorney of Suffolk County. Mr. President, the District Attorney did comment upon the evidence, and I am willing to maintain it to my dying day; and I know that I can safely dare the District Attorney to submit to me a copy, a sworn copy, sworn to by the official stenographer, showing his comments upon the evidence. I maintain that that sort of procedure before a grand jury on the part of a District Attorney is improper, illegal and absolutely wrong. I still maintain, Mr. President, that I am not in any wise criticizing the conduct of the grand jury. The grand jury was very courteous to me, and after my remarks evidently, according to the press reports, voted to inquire into the question of whether or not there was a conspiracy. I went up again to see the assistant district attorney, Mr. Fielding, at his request, and I told him that the press had commented upon the fact that it took only twenty minutes to discover—or, to get it correctly, that the press had said that the hearing before the grand jury took only twenty minutes. He said to me, "How can we prove this case before the grand jury?" I told him that I was not there to offer him any advice but, inasmuch as he had asked me, I would say that I would follow the suggestions as made by the city councilors. I said to him, "You as a lawyer ought to know what is contained in the reports of the income taxes of these various corporations." He said, "We cannot get the income taxes." I told him I didn't care whether he could get the income taxes themselves, but I told him if he could follow the line of the income tax and get these facts—namely, the volume of business done by each of these corporations, the amount of profit made by each, the amount that was charged up for depreciation and the cost of doing business,—that that was the only intelligent way, in reply to his question, "How can the thing be done?" that he could do it. And I told Mr. Fielding that he ought to do it. I don't know, Mr. President, that it was done. Now, there is an agreement in the City of Boston for fixing the prices of coal. I said also, Mr. President, when I was in the second time, when I was being interrogated by the District Attorney as to whether or not he had made any comment on the evidence as I was putting it in, which I maintained to be improper and illegal, that I would like to tell the grand jury some added facts if they wanted me to do so. But I didn't have a chance. I don't want to say that they were not willing to have me do so. They probably were, but my engagements in court made me late one morning, so that I got up there about quarter past eleven, and Mr. Fielding told me he had made the appointment for half past nine. There might have been a little difference in the time for the appointment and the time when I was able to arrive, but I thought the grand jury might sit at any time. However, I did not present any further facts. I do maintain, however, that there is an agreement to fix the price of coal in Boston; that there is an agreement to fix it down there in Pennsylvania, to be sure, and that there is an agreement here. I want to point out the fact that the *Transcript*, in reporting the investigation that was suggested as one that, if conducted by District Attorney O'Brien, would put some teeth into the thing, said, "District

Attorney Thomas C. O'Brien's coal-price-fixing grand jury inquiry occupied about twenty minutes." The *Boston Globe* said, "The hearing before the grand jury lasted less than half an hour, and District Attorney O'Brien announced that on Thursday he would make a public statement as to what occurred and results." But before I had any chance to go before the Grand Jury again the public statement was in the press and out on the street, the statement issued by the District Attorney saying that he found no—I withdraw that statement; the statement that was issued by the grand jurors on the evidence that they got. Again, Mr. President, I make no criticism of the grand jury, none whatsoever. As I say, they treated me with the utmost courtesy, and what they got they got from the District Attorney. But the press of Boston, now getting away from the grand jury proceedings, comment upon the question of whether or not there is a coal conspiracy or a coal agreement to fix prices in Boston. The *Traveler* said, "Coal plot 'not here.' After a brief examination of Mr. Ford, leading coal dealers and others, the grand jury reports," and so forth. It then goes on to say that "perhaps the grand jury should have taken a little more time and summoned a few more witnesses before dismissing the case." The grand jury, of course, could not take any more time, could not consider evidence that was not given to them. The grand jury can do no more than to consider the testimony that is given to them. That is their sworn duty, and that is what they did. The *Boston Telegram* writes an illuminating editorial upon the result of what District Attorney O'Brien did. It is well, in the interest of the record, that this should be read:

"It has been discovered after careful research for a few days that there is no coal price-fixing in Boston. That will cause great rejoicing in the homes of the poor as well as in the mansions of the rich. Almost without enthusiasm"—quoting always from the newspaper,—"the grand jury for Suffolk County had revealed the fact that, always by the merest accident, the big and little retailers of coal fix the prices of their various grades at the same figures, that there is not a difference of a cent a ton between them, and that the public, if it desires relief, must seek it at remote points. Now that the retailers have been exonerated, let the conservators of the public's interests make a thorough job of it. If they should travel for a week or less they would probably learn that the beginning of trouble with the coal traffic is the arbitrary conduct of the breaker boys at the mines, who refuse to work unless coal is retailed in Boston at certain uniform figures. Moreover, they might investigate the report, heard along the waterfront, that, if one retail dealer in Boston should sell coal for 2 cents a ton less than any other dealer, every coal barge chef would strike and thereby starve the crews en voyage. It is enough, perhaps, to learn that there are no coal-fixers in Boston, but it must have been an oversight on the part of the grand jury when it failed to report that the slate and stone sold in Boston as coal is far better for fuel purposes than the best of coal. Let us all rejoice that there are no coal price fixers in Boston. It helps to make easier the burden of substantial coal bills."

That editorial says that if one retailer in Boston should sell coal for 2 cents a ton less than any other dealer, every coal barge chef would strike. You know, one time in Boston a man named McGovern, of the McGovern Coal Company, had a lot of coal on hand, and cut the price from 50 to 75 cents a ton, and started to sell it. He didn't do it very long. He was told immediately to bring up the price, or he would go out of business, and he did it. That was an actual occurrence, and I remember the press reports at the time. By the way, in regard to Mr. Storrow, let me say publicly that I never said in this chamber that Storrow was connected with the Metropolitan Coal Company, because I didn't know that he was and couldn't prove it. So far as I know, he is not connected with the

coal company. All I did know was that his associate member of the firm of Lee, Higginson & Company—namely, Henry Lee Higginson—had a considerable interest in coal and had thousand of shares in coal companies and coal mining companies, at the time of his death. The probate records show that. It is too long a story to go into as a matter of record in this Council, but I do want to deny vehemently having made that remark. I saw a statement in the press from Mr. Storrow, saying that I made that remark. I did not. I never made that remark in this chamber at that time or before or since. But when Storrow was investigating coal prices three years ago he showed that there was a difference in the profit per ton received by coal dealers running from 25 cents to \$1.14 a ton on the prices at that time. I don't know the volume of business done by the men making \$1.14 a ton. I could never find that out. But suppose it was millions of tons that were being sold here in Boston on that basis, and it is quite likely that it would be the coal dealers who could do business on a more economical scale who would be the ones that would make \$1.14 a ton. They would naturally be the ones who did the most business. Now, Mr. President, the books and records of the coal dealers will show these figures. If there is such a condition here now as there was in 1917, when dealers were making from 25 cents to \$1.14 a ton, why is it with those differences in the amount of profit that the price for which the coal was sold was the same? If there was that difference then, because of their different costs of doing business, and the price charged was the same, of course there must have been a combination then as there must be a combination now if there is a difference in the profit per ton received by different dealers. There must be a combination, a fixing of prices per ton of coal. That seems self-evident to me, and I maintain that if the District Attorney of Suffolk County does his duty to the public, which he ought to do, he ought to get these facts. I am not going to allow the District Attorney of Suffolk County to maintain that there is not an agreement here to fix the prices of coal, because everybody in Boston knows that, with different companies doing business and with different overhead charges, everything being different, the prices charged would not be the same unless there was an understanding. In other words, we have at the time I speak of these companies with their different costs of doing business, and one company making only 25 cents a ton profit and another company making \$1.14 a ton profit. In the name of common sense, if there is a fixed price under those circumstances per ton of coal, it must be arrived at by agreement and not by accident; and if Hultman cannot do a better job than to say that there has been no coal price fixing in Massachusetts, if he has said that in his report, which seems to be the interpretation of the press, and if that interpretation proves to be the final one, then he ought to get out and allow some one who is competent to do the job.

Coun. WATSON—Mr. President, I desire also to speak on the motion to reconsider, hoping that the same will not prevail. I want to be fair with the member opposite. I thought at the last meeting that the proper tribunal to investigate this question was the District Attorney. I voted for the gentleman's order to have the Hultman investigation, and then I voted for my order to have the District Attorney investigate. I don't know how far Hultman went, but I may say that he has not disappointed me a particle. I do know how far the District Attorney went by the statement made by the member opposite. Of course, there is not a member of the body, I suppose, who thought for a moment that the District Attorney would depend on the councilor who offered the order and who made a speech here at the last meeting for official information in regard to the matter, for his entire information in regard to the subject of coal price fixing. The District Attorney called on Coun. Ford immediately, and the councilor

appeared before him and furnished him with what facts he had. I think the proper way for the District Attorney to have proceeded would have been to get busy with his organization—as I suppose he would have power to do under the law—and start in with a real investigation of the situation, gum-shoeing around and getting some knowledge of the matter, rather than sending for a few people, I presume, and asking them the stereotyped question, "Is there any coal price fixing?" and then calling on Coun. Ford to come and present the evidence he had. I believe, as well as I believe I am standing here, that there is fixing of coal prices in Boston. I cannot prove it. But Coun. Ford has suggested a means of getting some light, if the District Attorney wants to get knowledge of the subject. Coun. Ford tells how Mr. McGovern was dealt with, when he tried to reduce the price of coal, how he was politely told to raise it and did raise it. Of course, information can be obtained if it is sought in the right way. If the Police Department are going to investigate rumors of crime, they do not send for one man who happens to make a statement as to what appears to him to be the condition, and let it go at that. They don't depend on anything of that sort, but they get hold of whoever they can who has information in regard to the matter, have them tell their stories, and then they base their action on the result of the information they obtain in that way. I think it is far:ical to proceed in any such way as was followed in this matter. I think the District Attorney could have started to work and got in possession of the books of different coal companies, if he has the power, and I think he probably does have the power. I will simply say this, that I am disappointed with the result of the action under our order, as I believe nothing of any importance has been attempted by the District Attorney. I criticised Coun. Ford in a roundabout way for using the coal situation as a vehicle for shoving his candidacy along. I don't blame him for trying to help along his campaign, but I did criticise him for kidding us, in the language of the street, trying to make us believe something could be done in the way he suggested, and I have a right now to criticise the District Attorney for using the vehicle he did in an unsuccessful attempt to find out something for the purpose of boosting his candidacy, using the funds of the county to retard justice in his candidacy for the same office. I believe that the District Attorney of Suffolk County, or any live district attorney, must have power to do some real, effective work in a matter of this kind. He must have some money for it in his department and must be able to adopt methods by which he can find out something of importance concerning these local coal bills. When a band of large coal dealers have a certain fixed price for certain grades of coal within a certain zone, there is something mighty peculiar about it, because otherwise the same thing would hold concerning beef, pork and flour. You can buy flour, pork and beef by shopping around, in some places cheaper than in others, and the same thing ought to be possible with coal. I only speak at this time in order to try to be fair with the councilor opposite (Coun. Ford). I am satisfied that the District Attorney did not go the limit, but used his office for the purpose of retarding the candidacy of the councilor opposite, rather than to bring about some beneficial results from the inquiry.

The motion to reconsider was lost.

SIDEWALK, HUMBOLDT AVENUE.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Humboldt avenue, from Walnut avenue to Seaver street, Ward 16, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone

with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.
Passed under a suspension of the rule.

CONFIRMATION OF CONSTABLES.

President BRICKLEY called up unfinished business, Nos. 1 to 4, viz.:

Action on appointments submitted by the Mayor, May 8, 1922, viz.:

1. George F. Deleskey, John W. Finnegan and James A. McKenna, to be Constables.
2. Charles Rabinovitz, to be a Weigher of Coal.
3. David Kaplan, to be a Measurer of Leather.
4. James E. McGonagle, Jr., Francis A. Trayers and William A. Shutt, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Gilbody and Walsh. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

CONFIRMATION OF EXECUTIVE APPOINTMENTS.

Under unfinished business, President BRICKLEY called up the following:

Action on appointments submitted by the Mayor May 8, 1922, viz.:

1. George F. Deleskey, John W. Finnegan and James A. McKenna, to be Constables.
2. Charles Rabinovitz, to be a Weigher of Coal.
3. David Kaplan, to be a Measurer of Leather.
4. James E. McGonagle, Jr., Francis A. Trayers and William A. Shutt, to be Weighers of Goods.

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 8, yeas 7, nays 1, and the appointments were confirmed.

President BRICKLEY called up, under unfinished business, the following:

Action on appointments submitted by the Mayor, April 17, 1922, of the following-named persons to be Constables.

5. Powhatan Bagnall.
6. Frank I. Cohen.
7. James B. Cushing.
8. Frank Shaw.
9. Harry Van Dam.

President BRICKLEY—If there is no objection, we will take them up collectively.

Coun. DONOGHUE—Mr. President, I simply want to say that at the last meeting of the Council Mr. Harry Van Dam and myself engaged in an argument over the veracity of a statement I made. I want to say that I have today brought in the notice that I told him I had, which was sent out through his office, and for the purposes of the record I would like to read it. It says:

"Office of H. H. Van Damm, Special Constable,
1 Boylston Street, Boston.

March 31, balance.....	\$7 40
Special notice	2 00
	\$9 40

My dear Mr. _____

and I have scratched out the man's name—

"I am taking the liberty to inform you that this bill including poll tax and charges must be paid before May 1. We believe we have trifled with you enough therefore after the above date a warrant will be issued for your arrest and you may be taken into custody on sight.

Respectfully,"

and there isn't any name signed to it, but the initials in the corner of the stenographer and the one who dictated to the stenographer. The initials are K, and then HV, which means to my mind H. Van Dam. It appears to me that this was taken out of a file. I shall be glad to let Mr. Van Dam look it over and see what he has to say about it. (Showing paper to Mr. Van Dam.)

Mr. HARRY VAN DAM (after examining paper)—I will simply say that this is not from me or from my office. That is the state-

hent that I made last week. The only notice that has ever gone out from my office is the one right here (showing another form to the Council) and no form other than that has gone out. That is the copy I got from the City Collector, and no other form has gone out from my office. Any form sent out would be on my letterhead and not on a piece of scrap paper.

Coun. DONOGHUE—Mr. President, I don't consider that this is a piece of scrap paper, and I don't consider that any such notice as that could be sent out unless it was sent out from his office. In fact, I remember that the envelope which came in connection with that was from Mr. Van Dam's office. Now, I don't know whether Mr. Van Dam sent this thing out or not. Of course, I have no knowledge as to that. But I do know that his name and address are on it, and I do know that one of the men who was delinquent in paying a poll tax received it. I also know that he brought it into me, and I brought it to the City Collector's office. I showed it to Mr. Hutchinson down there and he has made a notation on it, and I also showed it to the Acting City Collector at that time, and when he saw it he said, "Throw it out," which he did. I don't know where it came from, but in my opinion the evidence is that it came from Mr. Van Dam's office.

Mr. VAN DAM—In the first place, the name is wrong, is spelled wrong, and in the second place, I have no middle initial. This says "Harry H."

Coun. LANE—You haven't no middle initial?

Mr. VAN DAM—No, sir. This letter didn't come from me. I have no clerk and stenographer, and no man sent out any such notice from my office but myself. Then, it hasn't got any signature on it. If I send out a letter I will at least sign it, and if I send out a letter it will be on that particular form right there (referring to the other form). I have never used that form. I have no loose leaves in my office, and have no use for loose leaves.

President BRICKLEY—We will take up these numbers on the calendar separately, first acting on No. 5. The committee will be Coun. Gilbody and Walsh.

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 8; yeas 5, nays 3, and the appointment was confirmed.

President BRICKLEY—We will now take up the question of confirmation of No. 6 (Frank I. Cohen). I will appoint the same committee.

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 7, yeas 3, nays 4, and the appointment was declared rejected. (See later.)

President BRICKLEY—We will now take up No. 7 (James B. Cushing).

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 8; yeas 6, nays 2, and the appointment was confirmed.

President BRICKLEY—We will now take up No. 8, and I will appoint the same committee. (Frank Shaw.)

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots, 8; yeas 5, nays 3, and the appointment was confirmed.

President BRICKLEY—We will next take up No. 9, and I will appoint the same committee. (Harry Van Dam.)

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 8; yeas 5, nays 3, and the appointment was confirmed.

Coun. MORIARTY—Mr. President, I now rise to move that we reconsider our action on No. 6 (Frank I. Cohen).

Coun. FORD—Mr. President, I second the motion.

Coun. MORIARTY—I rise to make the motion for this reason, that I feel that I am re-

sponsible for the agitation in regard to the constables. I believe I started it in 1919, and I did it with a certain feeling in the matter, and I have that same feeling today. I have gone along and voted "no" on the confirmation of every constable who serves civil warrants. If after my work since 1919 I have done no better than to stop one man, I feel that, while I am still going to continue my fight on the constables, I don't like to see one man picked out. I felt today that out of the five men before us for confirmation we should get at least three. I want to say that I don't believe Van Dam is a fit person to be a constable; neither do I think Shaw is a fit man to be a constable; neither do I think that Cohen is a fit man to be a constable; neither do I think that James B. Cushing is a fit person to be a constable; and neither do I think Mr. Bagnall is a fit person to be a constable acting for the City of Boston. But I don't think it is fair—and I am criticising myself as well as the other five members who voted against Cohen—for us as a body to single out my man. I feel that we should reconsider and approve of Mr. Cohen. I have had information come to me since the approval of other constables by us that many of the men we approved have literature and signs on their door indicating that they are detectives, also. I had a slip handed to me today showing that a man who came here and said that he was only a constable and who had been approved by us, testified in the divorce court against a certain man, acting in the matter not only as a detective but as a constable in the City of Boston. I feel now as I felt in 1919, I feel the same as I did a week ago, I feel the same as I did in talking to Cohen on the outside, that it was needless to waste any time talking to him, that there was nothing he could say that would change my attitude as far as constables as a whole are concerned. I think that Shaw here last Monday and a week ago last Monday, even under oath, absolutely lied when he told us that he carried a gun in the small hours of the morning, two or three o'clock, at his work, and then changed his testimony; and I believe we should not vote in a way that will allow Shaw or any other constable to carry a gun and a club and use them when they serve warrants, as they see fit. We have heard the language quoted by Coun. Donoghue, when he asked that confirmation of Constable Van Dam be held up, and I will repeat those words in the notices which constables send out:

"We believe we have trifled with you enough; therefore after the above date a warrant will be issued for your arrest and you may be taken into custody on sight."

Why, the first notice that they sent out notified those it was sent to that they already had the warrant, and this is either the second or the third one, and for being put to some bother and because of trifling for a short time, they tack on an extra compensation. However, I feel that if we are not able to get more than one of them, Cohen, so far as Cohen is concerned, he is as good as any of them. That doesn't mean anything. I can say that I think he is as bad as the lot, because I don't think any of them are any good, and I don't think a real man would take the job, I don't think it is a man's job. I think it is a copper's job, and I think anybody who uses his office as a constable is nothing but a spy, a trimmer, or any name that can be applied to him. But I do feel that it is not a fair proposition for this body to pick out one man and therefore, I move reconsideration on No. 6.

Coun. WATSON—Mr. President, I hope reconsideration will prevail. It is unfortunate that one man should be picked out of all the number to be denied his commission. I want to repeat briefly what I said last week, that there is not a single man holding a constable's commission in Boston, in my opinion,—and my opinion cannot be shaken—but what would do detective's work if it was made profitable to him to do it. There is no doubt about it. The moment they start out as constables they have to become detectives, even in order to serve their writs, to hand their

writes to the individuals. It is detective's work, pure and simple, with all of them. That is what goes with the job. I hope reconsideration will prevail.

Reconsideration of the rejection of the appointment prevailed, and the question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 8; yeas 7, nays 1, and the appointment was confirmed.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.14 p. m., on motion of Coun. MORIARTY, to meet on Monday, May 22, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, May 22, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear June 6, 1922:

William P. Kelley, Ward 1; Thomas F. Norton, Ward 1; Patrick H. Ryder, Ward 2; Walter P. Whelton, Ward 2; Ralph Cassell, Ward 3; John K. Jones, Ward 3; Sidney M. Kimball, Ward 3; Timothy F. McCarthy, Ward 3; Charles J. Carlen, Ward 4; William Delaney, Ward 4; Frank M. Doherty, Ward 5; Christopher P. McCaffrey, Ward 5; Hyman Robbins, Ward 5; James E. Brown, Ward 6; John M. Osborne, Ward 7; William H. Bonner, Ward 9; John J. Muldowney, Ward 9; Henry A. Barry, Ward 10; Albert L. Drew, Ward 11; John F. Kerr, Ward 11; Edward J. Lennon, Ward 12; John H. Rafferty, Ward 12; Gabriel Abraham, Ward 13; Mortimer P. Sullivan, Ward 14; James J. O'Reilly, Ward 17; Earle C. Thurley, Ward 17; Joseph A. Blake, Ward 18; Eugene H. Daoust, Ward 18; Julius Lewis, Ward 19; Louis C. Maud, Ward 20; Bartholomew O'Neil, Ward 20; Frank E. D. Talbot, Ward 20; William Cousey, Ward 21; Harry Fisher, Ward 21; Archibald McIntire, Ward 21; Fred C. Bartlett, Ward 23; John Q. Robinson, Ward 23; Herman R. Voight, Ward 23; Robert H. Forsythe, Ward 24; Luke A. Flood, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear June 6, 1922:

Alfred W. Quandt, Ward 1; Denis J. Collins, Ward 4; Michael W. Collins, Ward 4; Daniel Sullivan, Ward 6; Edward B. Barco, Ward 7; Charles Henken, Ward 7; Guy W. Jones, Ward 7; William O. Overton, Ward 7; Patrick J. Greeley, Ward 8; Frank C. Hall, Ward 8; Cyrus Lane, Ward 9; Joseph D. McDonald, Ward 11; Hector L. Holt, Ward 12; Alfred B. Steele, Ward 12; Emery D. Morgan, Ward 13; Alphonse J. Chalamel, Ward 14; Henry P. McGowan, Ward 14; George A. H. Brehm, Ward 15; Max Rosnosky, Ward 16; Israel Sternburg, Ward 16; William L. Twombly, Ward 16; Russell A. Wells, Ward 16; George I. Ellis, Ward 17; Arthur U. Elliott, Ward 18; Benjamin Franklin Freeman, Ward 18; James J. Lennon, Ward 19; Jacob Polansky, Ward 19; Martin Singer, Ward 19; Walter G. Dows, Ward 20; Lewis Hermance, Ward 20; Frederick A. Smith, Ward 20; Daniel Brassy, Ward 21; John F. Duby, Ward 21; Ernest L. Hodgkins, Ward 21; John Pember, Ward 21; William J. Selby, Jr., Ward 22; James T. Mulligan, Ward 23; Alfred C. Paradee, Ward 24; Frank D. Sears, Ward 25; W. Stanwood Field, Ward 25.

Forty traverse jurors, Superior Criminal Court Third Session, to appear June 6, 1922:

Harris Hirschberg, Ward 1; Paul J. Sheehan, Ward 2; Michael J. Flaherty, Ward 3; Eugene F. Henchey, Ward 3; Elck Feinberg, Ward 5; William Feldman, Ward 5; Patrick O'Leary, Ward 6; Charles S. Stone, Ward 6; Richard M. Everett, Ward 8; Walter D. Hannigan, Ward 8; Austin J. Maguire, Ward

8; Clarence E. Tedder, Ward 8; Patrick J. Hays, Ward 10; John M. Ohrenberger, Ward 10; Walter J. Burns, Ward 12; John A. Carmody, Ward 12; Andrew J. Flanagan, Jr., Ward 13; Michael J. Keohane, Ward 13; John J. Lane, Ward 13; William H. Fenton, Ward 14; Fred J. Holden, Ward 15; David W. Edwards, Jr., Ward 16; Morris Feinberg, Ward 16; Wilbur G. Blaisdell, Ward 17; Joseph M. Kelly, Ward 17; Abram R. Nadel, Ward 18; George H. Carson, Ward 20; Henry L. Hunter, Ward 20; William J. Murray, Ward 20; William J. Norman, 2d, Ward 20; Augustus J. Kaine, Ward 21; Anton Michelson, Ward 21; Morris E. Sherman, Ward 21; George W. Ryan, Ward 22; Joseph P. Kees, Ward 23; Elmer W. Stevens, Ward 23; Hugh W. Cameron, Ward 24; Alexander H. Gray, Ward 24; Frederick B. Elliott, Ward 25; Franklin P. Jamieson, Ward 26.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Francis J. Tobin, 12 Nonantum street, Ward 25, to the position of Constable of the City of Boston.

2. Constables of the City of Boston: Samuel Shain, 1331 Blue Hill avenue, Ward 21; John M. McGowan, 483 Sumner street, Ward 2; John F. Campbell, 411 Chelsea street, Ward 1; Herbert D. Sawyer, 519 Tremont street, Ward 7; Antonio Laureana, 14 Kirkland street, Ward 8; John F. Pettiti, 8 Arcadia street, Ward 18.

3. Edward J. Bacon, 65 High street, Boston, to be a Weigher of Beef.

4. Chester D. Burke, 337 Washington street, Somerville, to be a Weigher of Goods.

5. William C. Cuthbertson, 476 Atlantic avenue, Boston, to be a Weigher of Coal.

Laid over under the law.

LAYING OUT OF STREETS.

The following was received:

City of Boston,

Office of the Mayor, May 20, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the chairman, Board of Street Commissioners, relative to the laying out of Oak avenue, Dorchester; Linden street, West Roxbury, and Elven road, Roslindale, which is a reply to your orders of April 24.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

Street Laying-Out Department,

May 17, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir:—This Board respectfully submits the following information, in response to orders of the City Council, requesting a report as to the cost of laying out certain streets referred to herein:

Oak avenue, Dorchester.....	\$33,000
Linden street, West Roxbury.....	14,000
Elven road, Roslindale.....	7,000

Your Honor's attention is called to the fact that it will be impossible to consider the improvement of any of the foregoing streets because of the lack of available funds for new street construction for the coming year.

Respectfully yours,

JOHN H. DUNN, Chairman.

Placed on file.

LAW CONCERNING GARAGES.

The following was received:

City of Boston,

Office of the Mayor, May 17, 1922.

To the City Council:

Gentlemen,—I have this day approved the order of the City Council, as unanimously

adopted on May 1, providing for acceptance of chapter 316 of the Acts of 1922, an act relative to garages in the City of Boston.

The enactment of this law, introduced for the purpose of preventing the erection and operation of a garage by the General Baking Company at Charlestown, marks one of the concluding chapters, if not the concluding chapter, in the struggle between this corporation and the people of Charlestown with reference to this particular project.

The drastic character of the act itself, however, is such as to require amendment at the next session of the Legislature. Section 2 of the act renders impossible enlargement or alteration to existing buildings maintained as garages, while section 1 is equally faulty in its provision that no garage for more than four cars be permitted on the same street as and within 500 feet of any building occupied in whole or in part as a public or private school having more than fifty pupils, or as a public or private hospital having more than twenty-five beds, or as a church.

In New York City the provision against garages is limited to 20 feet from the nearest wall of a building occupied as a school, theater or other place of amusement or assembly, while in Illinois it is 50 feet, and in Detroit 50 feet.

I have, nevertheless, in conformity with a pledge made during the last municipal campaign, approved the act, but do so in the belief that public necessity and public convenience will compel either the rewriting of the entire act or the adoption of perfecting amendments at the next session of the Legislature.

Sincerely yours,
JAMES M. CURLEY, Mayor.

Placed on file.

FUEL OIL EQUIPMENT, ANNEX, ETC.

The following was received:

City of Boston,
Office of the Mayor, May 22, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith communications from the Superintendent of Public Buildings relative to appropriations for the installation of fuel oil burning equipment in City Hall Annex building, and to cover the expense of motorizing the ambulance station on National street, South Boston. I respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
May 20, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I am inclosing to you specification and proposal in duplicate of the Petroleum Heat and Power Company for a fuel oil burning equipment in the City Hall Annex building. Also comparative statement on economy in oil versus coal, and wish to say that I have gone into the subject pretty thoroughly with my chief engineer and other experts along this line, and believe that such a saving as noted in the Petroleum Heat and Power Company's statement, namely, \$9,479.52, could be made, and I would recommend that this system be installed in the City Hall Annex building.

In accordance with the foregoing, I would respectfully request that an additional appropriation or transfer in the sum of \$10,000 be provided to meet cost of same.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

City of Boston,
Public Buildings Department,
May 22, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—Some time ago you took up with me the question of motorizing the ambu-

lances located at the Carney Hospital and in the care and custody of the Public Buildings Department, and in accordance therewith I have been in communication with experts along this line and respectfully submit the following:

Fireproofing building to entire satisfaction of the State Fire Marshal.....	\$6,000
2 Ford one-ton chasses, \$555 each.....	1,110
2 Ambulance bodies for same, \$945 each	1,890
4 Spare tires at \$15 each.....	60
Upkeep and supplies.....	550
Total	<u>\$9,610</u>

I therefore respectfully request that an added appropriation in the sum of \$9,610 be made and apportioned to the budget items as follows:

Transfer of \$9,610 to the appropriation for B-14, Motor Vehicle Repairs, \$200; B-39, General Repairs, \$6,000; C-4, Equipment, Motor Vehicles, \$3,060; D-11, Supplies, \$350—\$9,610.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$19,610, to the appropriation for Public Buildings Department, B-14, Motor Vehicle Repairs and Care, \$200; B-39, General Plant, \$16,000; C-4, Motor Vehicles, \$3,060; D-11, Motor Vehicle, \$350.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz:

Claims.

City Laundry Company, for compensation for injury to horse and wagon caused by a hole in street opposite 8 Wentworth street.

Mrs. Coan, for compensation for injuries caused by a defect in Grenville street, Roxbury.

Sadie Diamond, for a hearing on her claim on account of injuries caused by a hole in sidewalk at 55 Leverett street.

Estate of P. J. Greene, to be reimbursed for expense incurred on account of leak in water supply pipe at 49½ Commercial street.

M. E. Macdonough, that the city repair an electric pipe at 6 North Mead street broken by a city ash collector.

Clarence L. Newton, trustee, for compensation for damage to fence at 1 Claremont park by wagons of the Sanitary Division.

Margaret M. Sullivan, for compensation for damage to gate and fence at 45 West Second street, by employees of the Fire Department.

Mary T. Sullivan, for compensation for damage at 10 N street, by backing up of sewer.

Louise M. Sweeney, for a hearing on her claim on account of injuries caused by a defect in sidewalk, corner Boylston and Clarendon streets.

James H. White, for compensation for damage by sewage at 31 O street.

Edith Worth, for compensation for injuries caused by a defect in Berkeley street, near Columbus avenue.

H. Giviosa, for compensation for damage to automobile on ferryboat "Lieut. Lawrence J. Flaherty."

Margaret E. Carey, for compensation for injuries caused by projecting hydrant cover on Parkman street, Dorchester.

Executive.

Petitions for license to sell, rent or lease firearms, as follows:

Back Bay Loan Company, 379 Columbus avenue, Ward 7.

Samuel Cohen, 76 Merrimac street, Ward 5.

Charles Einstein, 1060 Washington street, Ward 6.

Jennie Pearlstein, 17 Broadway, Ward 8.

Victor Schonfeld, 319 Hanover street, Ward 5.

Petitions for children under fifteen years of age to appear in public places of amusement, as follows:

Lillian F. Brown, at South Boston Municipal Building Hall, on evening of June 7.

Anella Burnham, at Jordan Hall, on evening of May 26.

S. J. Clark, at the Arena, on May 24.

Annette E. Cooper, at Huntington Chambers Hall, on June 2.

Helen M. Roche, at South Boston Municipal Hall, on May 23.

Muriel T. Sheridan, at Bloomfield Hall, on June 9.

Petition from the Passionist Missionary Society for permission to use for burial purposes a lot of land at 159 Washington street, Brighton.

Jitney Licenses.

Petition from Thomas Joseph McCue for a license to run a jitney line in North Beacon street..

PRESIDENT BRICKLEY A MEMBER OF THE LEGION OF VALOR.

Hon. James M. Curley, Mayor of the City of Boston, entered the chamber at this point, took the chair, and said:

Mr. Chairman and members of the City Council, a very great privilege and honor has been conferred upon me by the national commander of the American Army and Navy Legion of Valor, namely, to have me present a certificate conferring membership in that truly great American organization on the president of your legislative body, and, in addition to that presentation, conferring upon me the insignia of the organization. I beg to say that it is conferred in conformity with General Order No. 46 of the War Department, dated Washington, April 5, 1919:

"5. Award of Distinguished Service Cross.

"By direction of the President under the provision of the Act of Congress, approved July 9, 1918, the Distinguished Service Cross was awarded by the Commanding General, American Expeditionary Forces in France, to David J. Brickley, First Lieutenant, 101st Infantry.

"For extraordinary heroism in action near Verdun, France, October 23, 24, 1918. Stubbornly resisting three strong enemy counter attacks, Lieutenant Brickley, without aid, went forward and by effective machine gun fire drove the enemy from and captured a strong pill box which had been raising havoc in our ranks.

"By Order of the Secretary of War.

(Signed) PEYTON C. MARCH,
General, Chief of Staff.

"Official,

P. C. HARRIS,
The Adjutant General."

And now, sir, through the kindness of the Commander-in-Chief of the Army and Navy Legion of Valor, it affords me great pleasure to confer upon you the insignia of this organization, knowing that you will wear it with the thought constantly in your mind of service and, if need be, sacrifice at all times, for the good of our common country.

(Mayor Curley here presented to President David J. Brickley of the City Council the certificate of membership in the Army and Navy Legion of Valor in the United States of America, and also placed the button of the organization in President Brickley's lapel, amid applause.)

PENSION FOR M. F. MEAGHER.

Coun. FORD offered an order—That chapter 267, Acts of 1922, entitled "An Act Authorizing the County of Suffolk and the Common-

wealth to Pension Michael F. Meagher," be and the same is hereby accepted.

Referred to the Committee on County Accounts.

APPOINTMENT BY THE MAYOR.

Notice was received from the Mayor of the appointment of Joseph F. Feeney as Overseer of the Public Welfare, a certified copy of the same having been sent to the Civil Service Commission.

Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of approval of the following appointments by the Mayor, viz.:

Henry Forbes Bigelow, Art Commissioner.

John H. Mahony, Building Commissioner.

Charles J. Fox, Budget Commissioner.

Placed on file.

NOTICE OF ORGANIZATION.

Notice was received from the Trustees of the Public Library of organization with Rev. Alexander Mann, D. D., as president and Samuel Carr as vice-president and Della Jean Deery as clerk.

Placed on file.

COVERING OF BOUNDARY MONUMENT.

Notice was received from the Middlesex County Commissioners concerning covering of boundary monument near Roland street, between Boston and Somerville.

Placed on file.

RAILROAD POLICE.

Notice was received from the Boston Elevated Railway Company that certain street railway police were no longer required, said notice being sent according to the provisions of law.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing on petition of Boston Elevated Railway Company for approval of issuance of certain stock.

Placed on file.

STREET TRAFFIC REGULATIONS.

Notice was received from the Board of Street Commissioners concerning street traffic regulations, viz.:

Traffic on Washington street.

Traffic on Brattle and Elm streets.

Placed on file.

STORAGE OF GASOLENE.

Notice was received from the Board of Street Commissioners of notice of hearings on petitions for licenses to store and sell gasolene.

Placed on file.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Thomas F. Brett, Frank I. Cohen, Olpha A. Ford, Bernard H. Magee, Michael W. Ober, Daniel W. O'Brien, Fred G. Trask, Henry J. D. Small, Harry Van Dam.

Approved by the City Council.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for thirteen newsboys and ten vendors—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

CLERK HIRE.

The Register of Deeds, W. T. A. Fitzgerald, submitted in accordance with law a statement that certain persons had been employed in his office and that work had been performed from April 24 to May 22, 1922, to the amount of \$8,094.39.

Approved and ordered paid.

SIDEWALK ORDERS.

Coun. MORIARTY offered the following:
Ordered, That the Commissioner of Public Works make a sidewalk along Main street at the corner of Mystic avenue, at the property of the Boston & Maine Railroad, and at No. 635 on said street, at the property of the Boston Elevated Railway Company, Ward 3, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Ordered, That the Commissioner of Public Works make a sidewalk along Mystic avenue at the corner of Main street, at the property of the Boston & Maine Railroad, Ward 3, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.40 o'clock p. m., on motion of Coun. MORIARTY, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.27 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Reports on petitions for permits for children under fifteen years of age (referred today) to appear at places of amusement—that permits be granted, viz.:

Lillian F. Brown, South Boston Municipal Building Hall, June 7.

Amelia Burnham, Jordan Hall, May 26.

E. J. Clark, the Arena, May 24.

Annette E. Cooper, Huntington Chambers Hall, June 2.

Helen M. Roche, South Boston Municipal Hall, May 23.

Muriel T. Sheridan, Bloomfield Hall, June 9.

Reports severally accepted; permits granted on the usual conditions.

2. Report on petition of Passionist Missionary Society (referred today) for permission to use lot for burial purposes—recommending the passage of the following, viz.:

Ordered, That permission be hereby granted to the Passionist Missionary Society to use for burial purposes a lot of land containing about 2,500 square feet located on their property at No. 159 Washington street, Brighton.

Report accepted; order passed, under a suspension of the rules.

3. Reports on communications from Board of Street Commissioners giving notice of hearing on petitions for licenses to store and keep for sale gasolene—that the same be placed on file, viz.:

Notice referred April 10 and notice referred April 24.

Report accepted; notices placed on file.

4. Report on message of Mayor, communications and order (referred today) for transfer of \$19,610 from the Reserve Fund to the appropriation for Public Buildings Department—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

PUBLIC LANDS.

Coun. LANE, for the Committee on Public Lands, submitted the following, viz.:

1. Report on message of Mayor, preambles and order (referred May 8) to exchange land and flats at Farragut road with Commonwealth of Massachusetts—that the preambles and order ought to pass.

The report was accepted and the preambles and order were given their first reading and passed, yeas 7, nays 2, Coun. FORD and MORIARTY voting nay.

The preambles and order will take their final reading not less than fourteen days from date.

2. Report on message of Mayor, communication and order (referred May 15) for sale of city land at Spring street, West Roxbury, to the Boston Elevated Railway Company—that the order ought to pass.

Coun. MORIARTY—Mr. President, I am afraid that if we sell that land to the Elevated and they put tracks in there we will never be able to get them out, because I see where a decision was handed down by the Supreme Court last week in regard to Cambridge, stating that wherever a reservation had been given by the Public Service Commission the city would have no more control over it. If we did grant this, and it is later a street, in so far as a location for a bathhouse is concerned, we will have no location that will be handy for the public there. I don't want to appear opposed to this, but I feel that this is a matter which might well be laid on the table, giving the people of the district an opportunity to come in here.

President BRICKLEY—I will say that the Mayor can take care of that under the terms of the order, I think, Coun. Moriarty.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its second reading not less than fourteen days from date.

3. Report on message of Mayor, communication and order (referred May 15) for sale of city land on Snow Hill and Sheafe streets—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

4. Report on message of Mayor, communication and order (referred May 15) for sale of building at River and Winthrop streets, Hyde Park—that the order ought to pass.

Report accepted, order passed.

RESCISSION OF EAGAN SQUARE ORDER.

President BRICKLEY offered an order—That the order passed by the City Council November 28, 1921, naming the junction of Washington and South streets and Lee Hill road, Edward F. Eagan square, be and the same is hereby rescinded.

Passed under a suspension of the rule.

LEO EAGAN SQUARE.

President BRICKLEY offered an order—That the open space at the junction of Bel-

grade avenue, Corinth and Roberts streets, Roslindale, be named Edward F. Eagan square, in memory of said Eagan, who died in the United States service during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

SIDEWALK ORDERS.

President BRICKLEY offered the following: Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Braemore road, from Commonwealth avenue to Chiswick road, Ward 25, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Ordered, That the Commissioner of Public Works make a sidewalk along the westerly side of Hyde Park avenue, from Dana avenue to Pine street, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Ordered, That the Commissioner of Public Works make a sidewalk along Dana avenue, in front of Nos. 2 to 14, inclusive, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. GILBODY offered an order—That the Commissioner of Public Works make a sidewalk along Adams street, from Nos. 263 to 354, Wards 18 and 20, in front of the estates

bordering thereon, said sidewalks to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. GILBODY offered an order—That the Commissioner of Public Works make a sidewalk along Neponset avenue, from No. 2 to No. 26, Ward 20, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1, 2 and 3, viz.:

Action on appointments submitted by the Mayor, May 15, 1922, viz.:

1. Benjamin H. Cohen, to be a Weigher of Coal.
2. Edward Bigelow, to be a Weigher of Coal and a Weigher of Goods.
3. Cornelius J. Reidy, to be a Weigher of Goods.

The question came on confirmation. Committee—Coun. Ford and Walsh. Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

NEXT MEETING.

Adjourned at 4.38 p. m., on motion of Coun. MORIARTY, to meet on Monday, June 5, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, May 31, 1922.

Special meeting of the City Council, held in the Council Chamber, City Hall, at one o'clock p. m., for the purpose of drawing jurors, President BRICKLEY in the chair and a quorum present.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear June 12, 1922:

William F. Curry, Ward 2; Harry Fay Russell, Ward 2; Henry A. DeRocher, Ward

3; John Manning, Ward 3; Leslie O. Wade, Ward 3; James A. Moulton, Ward 4; William J. Smith, Ward 4; Peter Connolly, Ward 5; Henry T. Cotter, Ward 6; James W. Russell, Ward 6; Andrew K. Taylor, Ward 6; Charles G. Mansway, Ward 8; George A. Moynihan, Ward 9; James C. Daly, Ward 10; John Forrest, Ward 10; John H. Horgan, Ward 10; Isaac D. Slocum, Ward 10; William H. Brown, Ward 13; Clarence T. Burckmeyer, Ward 13; Edward J. Mahoney, Ward 14; John J. McLaughlin, Ward 14; Frederick B. Munro, Ward 14; Martin H. Regan, Ward 14; Frank H. Dunn, Ward 15; John H. Jones, Ward 15; William Knowles, Ward 16; William Newman, Ward 17; George V. Scanlan, Ward 18; James J. Scully, Ward 18; William C. Hill, Ward 19; Patrick J. Griffin, Ward 20; Joseph A. Ohrenberger, Ward 20; Joseph A. Greene, Ward 21; Saul Isaacs, Ward 21; Arthur R. Dickey, Ward 23; Francis G. Flynn, Ward 23; Franklin B. Wellock, Ward 23; Franklin I. Flagg, Ward 26; Herbert B. Goodridge, Ward 26; David L. Miller, Ward 26.

Adjourned at 1.31 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 5, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Thomas J. Stillman, 37 Russell street, Charlestown, to the position of Constable of the City of Boston.
 2. Constables of the City of Boston: William P. Duffy, 608 Massachusetts avenue, Ward 7; Peter J. Lydon, 848 Huntington avenue, Ward 14; John J. Mathony, 23 Ifley road, Ward 22; Vincenzo Musto, 166 Salem street, Ward 5.
 3. F. G. Newman, 115 Summer street, Watertown, Mass., to be a Weigher of Coal.
 4. Louis Champa, 427 Commercial street, to be a Weigher of Goods.
 5. Horatio S. Merriam, 717 Atlantic avenue, Boston, to be a Weigher of Goods.
- Laid over under the law.

RESIGNATION OF SOLDIERS' RELIEF COMMISSIONER.

The following was received:

City of Boston,
Office of the Mayor, June 2, 1922.
James Donovan, Esq.,
City Clerk:

Dear Sir,—You are hereby notified that I have received the resignation of Henry C. McKenna, as Soldiers' Relief Commissioner, and I have accepted same to take effect June 8, 1922.

Very truly yours,
JAMES M. CURLEY, Mayor.

Placed on file.

RESIGNATION OF ART COMMISSIONER.

The following was received:

City of Boston,
Office of the Mayor, May 29, 1922.
James Donovan, Esq.,
City Clerk:

Dear Sir,—You are hereby notified that I received the resignation of William V. Kellen as Art Commissioner, and accepted same May 15, 1922.

Very truly yours,
JAMES M. CURLEY, Mayor.

Placed on file.

RESIGNATION OF PUBLIC WELFARE OVERSEER.

The following was received:

City of Boston,
Office of the Mayor, May 29, 1922.
James Donovan, Esq.,
City Clerk:

Dear Sir,—You are hereby notified that I received the resignation of Dr. Joseph B. Lyons as Overseer of the Public Welfare, and accepted same May 17, 1922.

Very truly yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—LEGISLATION CONCERNING WILLIAM J. MAGEE.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1922.
To the City Council:
Gentlemen,—I am returning herewith, without my approval, your order of the 15th instant favoring legislation to authorize the city to reimburse William J. Magee for damage to his automobile by fire apparatus.

The Committee on Claims having rejected this claim once and there being no legal liability, I can see no reason for approving it.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—RETIREMENT OF OWEN McDERMOTT.

The following was received:

City of Boston,
Office of the Mayor, May 31, 1922.
To the City Council:
Gentlemen,—I am returning herewith without my approval your order of the 15th instant requesting the Retirement Board for Laborers to retire Owen McDermott of the Public Works Department.

The report received, which I am transmitting herewith, from the doctor who checked up on this case would indicate that this man is able to work for many years to come. Consequently I cannot approve his retirement.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

PARKMAN FUND EXPENDITURES.

The following was received:

City of Boston,
Office of the Mayor, June 5, 1922.
To the City Council:
Gentlemen,—Attached herewith is a communication from the Park Commissioners relative to additional appropriations from the income of the Parkman Fund, and in accordance with their request I respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston, June 5, 1922.

Hon. James M. Curley,
Mayor of Boston:
Dear Sir,—At a meeting of the Board of Park Commissioners held on Thursday, June 1, 1922, it was voted to request your Honor to appropriate the following amounts from the income of the Parkman Fund:

For stone and binding material to resurface the roads at the Arnold Arhoretum	\$5,000
For fence on Bussey street and on the boundary line between the Arhoretum and adjoining property on Centre street	1,000
For improvements in the Zoological Garden at Franklin Park	5,000
To be expended on changes in the Elephant House to provide for the future care of the hippopotamus to be presented by the Boston Post	2,500
For the erection of buildings and dens to house animals now in temporary quarters	2,500
Total	\$16,000

A new layout for the Franklin Park links has been made by Mr. Duncan Ross. Part of the money has been expended and it will be necessary to get an additional \$5,000 to install a water supply, and to buy and lay sods for the new greens.

Very respectfully yours,
JAMES B. SHEA,
Chairman.

Ordered, That the sum of \$16,000 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvements of the Common and parks in existence on January 12, 1887, as follows:

Arnold Arboretum, Improvements.....\$6,000
Franklin Park Buildings, Improvements,
etc. 5,000
Zoological Garden, Improvements..... 5,000

Referred to the Committee on Parkman Fund.

FILLING OF CARROLL'S POND.

The following was received:

City of Boston,

Office of the Mayor, May 27, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the chairman, Board of Park Commissioners, requesting an additional appropriation of \$5,000 for the filling of Carroll's Pond, and I respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Boston, June 3, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I have your letter of May 16, in answer to my communication of May 15, relative to an additional appropriation of \$5,000 for the completion of the work of filling Carroll's Pond. The engineer's estimate, after taking soundings, is as follows:

To fill the land owned by the City of Boston—from 5,000 to 6,000 cubic yards is needed. This filling will drive the water into the land of private owners, part of which is in Dedham. This is a very small area, not more than 1,000 to 1,500 square feet. This land must be filled in order to protect the residents of the district, who attribute the great sickness among the children of the locality to diphtheria and other like diseases that are prevalent in swampy lands. \$5,000 will complete the work.

Personal inspection proves that the nearby residents are very much worked up over the failure of the city to abate this nuisance in past years. Two complaints have been received the last two weeks from the Boston Board of Health, and they have been assured by me that there is every probability that the work will be completed at once.

In anticipation of the appropriation, the department has received bids for material at 75 cents per cubic yard,—a very low price. This work, of course, cannot be undertaken until the appropriation is available.

I cannot urge on your Honor too strongly the necessity of haste in this matter, as the warm weather is approaching, and I fear for the health of those living in the neighborhood. It is probably the worst mosquito breeding spot in the City of Boston.

Very respectfully yours,

JAMES B. SHEA, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$5,000, to the appropriation for Park Departments, F. Special Items, Carroll's Pond Filling, \$5,000.

Referred to the Executive Committee.

APPROPRIATION FOR WATER INCOME.

The following was received:

City of Boston,

Office of the Mayor, June 5, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the Commissioner of Public Works relative to an additional appropriation

from Water Income, and I respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston, June 5, 1922.

To the Honorable the Mayor:

I respectfully request that an appropriation, from Water Income, be made for the following items in the Water Service:

A-1. Permanent Employees:
1 Deputy Superintendent at
\$2,500 \$1,623 45
A-2. Temporary\$15,000 00

Yours respectfully,
JOSEPH A. ROURKE,
Commissioner of Public Works.

Ordered, That to meet the current expenses payable during the financial year, beginning with the first day of February, 1922, the sum of \$16,623.45 be and the same hereby is appropriated from the income of Water Service, Public Works Department, as follows:

A. Personal Service.
1. Permanent Employees:
Deputy Superintendent, 1 at
\$2,500 per year..... \$1,623 45
2. Temporary employees\$15,000 00
Referred to the Executive Committee.

TRANSFER FOR PUBLIC BUILDINGS.

The following was received:

City of Boston,

Office of the Mayor, June 3, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the Superintendent of Public Buildings requesting a transfer from the Reserve Fund, and I respectfully recommend the passage of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Boston, May 24, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I respectfully request that the following addition be made to the appropriation Public Buildings Department, the same being occasioned by an award granted by the Industrial Accident Board to the widow of David McLuckie, late fireman in the Public Buildings Department:

From the appropriation for Reserve Fund, \$327.42, to the appropriation for F-11, Workingmen's Compensation, \$327.42.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$327.42, to the appropriation for Public Buildings Department, F-11, Workingmen's Compensation, \$327.42.

Referred to the Executive Committee.

SALE OF PIGS.

The following was received:

City of Boston,

Office of the Mayor, June 3, 1922.

To the City Council:

Gentlemen,—I am transmitting herewith a communication from the Commissioner of Institutions relative to the sale of 100 pigs, located at the House of Correction, Deer Island, and I respectfully recommend the passage of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Boston, June 1, 1922.
 Hon. James M. Curley,
 Mayor of Boston:

Dear Sir,—I respectfully ask permission to sell 100 pigs, located at the House of Correction, Deer Island, to an amount not exceeding \$600.

This letter supersedes my request dated April 25, approved by you under date of April 26.

Very truly yours,
 DAVID J. JOHNSON, Commissioner.

Ordered, That the Superintendent of Supplies be and hereby is authorized to sell, to an amount not exceeding \$600, after public advertisement, one hundred (100) pigs, the property of the Institutions Department. Referred to the Executive Committee.

WHITE FUND EXPENSES.

The following was received:

City of Boston,
 Office of the Mayor, June 2, 1922.
 To the City Council:
 Gentlemen,—Under the provisions of the will of the late George Robert White the ordinary maintenance expenses of the Trustees and Manager of the George Robert White Fund will have to be provided for through the departments of the city. The City Auditor suggests authority for same be provided through a City Council order. I therefore respectfully recommend the passage of the accompanying order by your honorable body.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

Ordered, That the Expenses of the Trustees and Manager of the George Robert White Fund, not chargeable to the income of the fund, be charged to the appropriation for Reserve Fund.

Referred to the Executive Committee.

BLEACHER SEATS, SULLIVAN SQUARE.

The following was received:

City of Boston,
 Office of the Mayor, May 29, 1922.
 To the City Council:
 Gentlemen,—I am transmitting herewith a communication from the chairman, Board of Park Commissioners, which is a reply to your order of the 8th instant relative to furnishing additional bleacher seats on the Sullivan Square Playground.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Park Department, May 23, 1922.
 Hon. James M. Curley,
 Mayor of Boston:

Dear Sir,—I have your memorandum of May 12, with inclosure from W. J. Doyle, Assistant City Clerk, relative to order of the City Council to provide additional bleacher seats in Sullivan Square Playground.

This week the contract for seats throughout the playground system of the Park Department, including Sullivan Square, is to be advertised, and the contractor will be ready to start within a few weeks.

Very respectfully yours,
 JAMES B. SHEA, Chairman.

Placed on file.

COST OF LAYING OUT MUSEUM SQUARE.

The following was received:

City of Boston,
 Office of the Mayor, May 29, 1922.
 To the City Council:
 Gentlemen,—I am transmitting herewith a communication from the chairman, Board of Street Commissioners, which is a reply to your request of the 1st instant relative to the

cost of laying out Museum square, as recommended in the 1918 report of the City Planning Board.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Street Laying-Out Department, May 27, 1922.
 Hon. James M. Curley,
 Mayor of Boston:

Dear Sir,—In response to the attached order of the City Council, requesting this Board to estimate the cost of laying out Museum square, as recommended in the 1918 report of the City Planning Board, I beg to say that we have had the following estimate made:

For land and building damages.....	\$87,700
For construction.....	28,000
	\$115,700

This estimate is exclusive of the probable cost of building the street improvements referred to in the same report of the City Planning Board.

Respectfully yours,
 JOHN H. DUNN, Chairman.
 Placed on file.

TRANSFER OF BUILDING, KANE SQUARE.

The following was received:

City of Boston,
 Office of the Mayor, June 1, 1922.
 To the City Council:
 Gentlemen,—I am transmitting herewith a communication from the Commissioner of Public Works, which is a reply to your order of the 15th ultimo, requesting the transfer of the building located in Francis G. Kane square, Dorchester, from the Public Works Department to the Public Buildings Department, so that it may eventually be used for Francis G. Kane American Legion Post Headquarters.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

City of Boston,
 Public Works Department, May 31, 1922.
 To the Honorable the Mayor:

With reference to the attached order of the City Council that the Public Works Department transfer the city building now located in the paving yard abutting Francis G. Kane square in Dorchester to the Public Buildings Department, so that it may eventually be used by the Francis G. Kane Post of the American Legion as headquarters, I beg to say that this building is necessary, at the present time, for departmental activities and cannot be transferred.

Yours respectfully,
 JOSEPH A. ROURKE,
 Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Edward N. Arafe, for compensation for injuries caused by a fall on sidewalk at 2 Lorne street.

W. H. Ballard & Co., Inc., agents, for compensation for damages at 27 Exchange street, by the bursting of a water main.

Charles H. Bullock, to be reimbursed expenses, etc., incurred in suit against him on account of his acts as a police officer.

James E. Burke, for compensation for damage to car by a cart of the Paving Division.

Childs, Sleeper & Co., for compensation for damage to automobile by fire apparatus.

Mrs. Carrie M. Christy, for compensation for damage to clothing by street oil on Claremont park, at Columbus avenue.

Alfonzina Colarusso, to be paid for a window at 152 Cottage street, broken by boys playing ball at the Cottage Street Playground.

Thomas H. Connelly (Justice of the Brighton Municipal Court), to be reimbursed for expense of preparing a case against him in the Supreme Judicial Court, which has been dismissed.

Mary Fenton, for compensation for injuries caused by a defect in sidewalk at 55 Temple place.

Sarah E. Gatchell, to be paid for teeth taken away from her at the City Hospital.

Joseph Giglio, for compensation for injuries received on the East Boston Ferry.

Marion Gray, for compensation for damage to motor car by a city automobile.

M. Guberman, for compensation for damage to wagon by a wagon of the Sanitary Division.

Ruth Johnson, for compensation for injuries caused by a defect in sidewalk at 193 Camden street.

Kendall Brothers, for compensation for damage to truck by a defect in highway at Bay State road and Beacon street.

Sonia Konowitz, for compensation for damage to automobile by fire apparatus.

Israel Levinson, for compensation for damage to automobile by a city wagon.

H. L. Manning, Admr., for refund of fee for lodging house license paid for by Maria F. Engel (now deceased) and never used by her.

Philip McLaughlin, for compensation for damage to car by fire apparatus.

Helen L. Noona, for compensation for damages at 78 Hobart street, Brighton, caused by a horse of the Street Cleaning Division.

Charles C. Olsen, for compensation for damage to automobile caused by oily pavement on Gates street, South Boston.

Henry J. Osbourne, for compensation for damage to truck by a city team.

Trustees of the Pelham Trust, to be reimbursed for expense incurred on account of leak in sewer in Tremont street, at the Little Building.

Rose M. Peters, for compensation for damage to clothing caused by her falling on oily sidewalk at 725 Third street.

Harold Randall, Jr., for reimbursement for personal injuries caused by defect in sidewalk at 244 Northern avenue.

Argeo Ravanesi, for compensation for damage to car by a hole in street, corner Cobb and Washington streets.

Nicoletto Rigano, for compensation for damages caused by overflow of sewer on December 15, 1921.

Maria Sieleno, for compensation for damage to stock of goods at 91 Cottage street, East Boston, by overflow of sewer December 15, 1921.

Martin J. Shufro, for compensation for damage to automobile commandeered by a police officer for carrying a man to the City Hospital.

Jack Sugarman, for compensation for injuries received on the East Boston Ferry.

Louis Sugarman, for compensation for damage to machine on the East Boston Ferry.

L. D. Tobin, to be paid for removal of fence and other damages at 3 Kenton road and Lawn street.

Joseph S. Tuck, for compensation for damage to automobile on the East Boston Ferry.

Dominick Ventula, for refund of fee for license at 79 Chelsea street, East Boston, which he paid twice.

Frank Wilcox, for compensation for injuries caused by being struck by a bucket in use by a city employee.

Antonia DeLuca, to have refunded the fee for a pool table license at 37 Essex street, which was never used.

Helen F. Morton, for compensation for damage to clothing by water from a stand-pipe filling a watering cart.

Morris Bloom, for compensation for damage to car by a truck of the Park Department.

Executive.

Petitions for retirement under the provisions of chapter 765, Acts of 1914, viz.:

William S. Clancy; John Quilty.

Petitions for permits for children under fifteen years of age to appear at places of amusement, viz.:

Gertrude A. Goodman, Dorchester High School Gymnasium, June 2.

John P. Manning, Mechanics Building, May 30.

Gertrude A. Goodman, Municipal Building Hall, South Boston, June 9.

Rev. Joseph R. Hurley, Boston College High School Hall, June 12.

Amy T. Rawson, Steinert Hall, June 23.

Mary E. Edelblute, Dorchester High School Hall, June 7.

Petitions for permits to sell, rent or lease firearms at various locations, viz.:

G. Ciullo & Brother, Inc., 130 A and 130B Salem street, Ward 5.

M. DeAngelis & Brother, 165A Salem street, Ward 5.

Oscar W. Mandelstam, 130 Sumner street, Ward 2.

S. Eugene Proctor Company, 168 Washington street, Ward 5.

Simon Robinson, 287 Tremont street, Ward 8.

Louis Segal, 184 Hanover street, Ward 5.

S. Simons Hardware Company, 21 Washington street, Ward 5.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Samuel Goldkrand, Abraham Green-side, Thomas J. Killian, Patrick J. Monahan and Harry A. Webber.

Approved by the City Council.

APPOINTMENTS BY THE MAYOR.

The Mayor submitted the following appointments, certified copies of the same having been sent to the Civil Service Commission, viz.:

John Harleston Parker, Art Commissioner.
James H. Fitzpatrick, Board of Appeal.
George A. Douglas, Board of Examiners.
James F. Eagan, Election Commissioner.
Frank Seiberlich, Election Commissioner.
Guy W. Currier, Library Trustee.
Placed on file.

CONFIRMATION OF APPOINTMENT.

Notice was received from the Civil Service Commission of confirmation of appointment of James A. McLaney as a member of the Board of Appeal.

Placed on file.

NOTICE OF ORGANIZATION.

Notice was received from the Trustees of the Boston Sanatorium of organization with Dr. John F. O'Brien as chairman and Dr. James J. Minot as secretary.

Placed on file.

NOTICE OF LOCATION.

A copy of an order was received from the Board of Street Commissioners granting location to the West End Street-Elevated Railway Company for double curves at corner of Washington street and Talbot avenue, 570th location.

Placed on file.

APPROVAL OF TERMINAL CHANGES.

Notice was received from the Public Utilities Commission of approval of certain changes for Boston Elevated Railway Company at the Dudley Street Terminal.

Placed on file.

GASOLENE LICENSES.

Notice was received from the Board of Street Commissioners of hearings on June 19

at eleven o'clock a. m., on petitions for storage and sale of gasoline.

Placed on file.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for nine newsboys and nine vendors—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

LEGISLATION FAVORING WILLIAM SEGAL.

Coun. GILBODY offered the following:

Resolved, That the City Council of Boston favors legislation for the payment of a sum of money to William Segal.

Passed under a suspension of the rule.

EXTENSION OF STRATTON STREET.

Coun. GILBODY offered an order—That the Board of Street Commissioners be requested to lay out as a public way an extension of Stratton street, from Lyford street to Talbot avenue, through park land adjoining the Speedway on Franklin Field.

Passed under a suspension of the rule.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of May.

Report accepted; order passed.

PAYMENT TO PARENTS OF J. J. KELLEY.

Coun. MORIARTY for Coun. FORD offered the following:

Resolved, That the City Council of the City of Boston favors the enactment of legislation authorizing the City of Boston to pay a sum of money to the parents of John Joseph Kelley, a minor.

Passed under a suspension of the rule.

PROTEST AGAINST DISCRIMINATION AT HARVARD.

Coun. MORIARTY offered the following:

Whereas, A free and unhampered opportunity for education has ever been regarded as essential to the preservation of the rights and liberties of the people; and

Whereas, The Constitution of the United States and of the Commonwealth of Massachusetts have guaranteed to the people equality of opportunity; and

Whereas, The citizens of Boston have ever encouraged the diffusion of learning, and have at great expense to themselves endeavored to offer their inhabitants opportunity to prepare for higher institutions of learning, realizing that the welfare of the city is promoted by education; and

Whereas, It has come to the attention of the Boston City Council that the President and fellows of Harvard University, acting in conjunction with the faculty of Arts and Sciences of Harvard College, contemplate a restriction upon admission, based upon religious and racial grounds; now therefore be it

Resolved, That the Boston City Council express its disapproval of any such discrimination, and condemn as unAmerican and prejudicial to the interest of the city any policy which may deny to certain American citizens the same opportunities for education and advancement as may be accorded to others.

Coun. MORIARTY—Mr. President, I feel that there is not much to be said in regard to the stand taken by those in power at the great university across Charles river, particularly in view of some of the denials in the Boston press this morning. But I believe it has been known, and known for many long years, that the president of Harvard College saw fit at a certain time a few years ago to go to Washington in opposition to a man who had been a friend of the people here; and I might mention in this connection the name of the man, Mr. Brandeis, who at the time had been appointed to the Supreme Bench of the United States. The president of Harvard College went to Washington with the robes of Harvard College wrapped around him for the purpose of using religious and race prejudice against the confirmation of the appointment of Mr. Brandeis by the United States Senate. But this time some wires must have broken. A little publicity got out which they never thought was going to get out. Of course, with their wonderful control of many things in this country, newspapers included, they had a colored story in the morning papers to the effect that they did not intend to carry out what it was claimed that they intended to carry out. But they did not deny the fact that the matter was discussed. Of course it is the Jewish race today, but it was the race I came from yesterday. What the Jews are going through today at Harvard is what the Catholics had to go through some years ago. They are prejudiced to the core out there, but they have been very careful in expressing it in other years. This time, however, they have overstepped the bounds of decency, and I feel, for one, that if they are going to carry the thing any further, all exemption of Harvard property, comprising some of the largest mercantile business houses within this town which are owned by Harvard College, should be stopped. Certainly any such exemption should be eliminated if they do not give men from every race the same opportunity. I feel that the resolution will go through. I feel that a lot of men who have gone through Harvard are not in accord with the decision of those in power. I do not think the resolution is a very drastic one. Perhaps it is not as drastic as one that I would like to put in here, but I thought that if I put in one that was not very drastic it would have the unanimous approval of the members. If, however, it does not go through I will have one that will have a deeper sting than this one does. I do not say that with any sort of a threat, so as to have members vote for the resolutions, but I am going to continue in my efforts in this matter if the present resolution does not go through. When it comes to some of these educated men who are in charge at Harvard, I will simply say that there is sometimes such a thing as too much education. I feel that sometimes those men have had so much education that their minds are narrowed to the point where it is almost impossible to do anything with them.

Coun. LANE—Mr. President, I rise simply to correct a statement which the councilor on my right has made. He has intimated to the Council that buildings owned by Harvard College which are used for mercantile purposes are tax exempt. He is mistaken. It is only property that is used for educational purposes that is tax exempt. For instance, a part of the Jordan Marsh property which is owned by Harvard and the Orpheum Theater property pay taxes, but the Harvard Medical School is not taxed. I think there has been an erroneous impression on the part of some of the public, on the part of a great many people in fact, that, as the gentleman has said, all the property owned in this city by Harvard College is tax exempt. But that is an error.

Coun. HAGAN—Mr. President, I find myself in complete and absolute accord with the sentiment in this resolution and in accord with the remarks made by my esteemed colleague opposite, but I hesitate to act too

hastily in a matter of this sort. In reading the third paragraph of the resolution as presented I see that it says, "Whereas, It has come to the attention of the Boston City Council that the President and Fellows of Harvard University, acting in conjunction with the Faculty of Arts and Sciences of Harvard College, contemplate restriction upon admission based upon religious and racial grounds." That may be true, but it says here that "it has come to the attention of the Boston City Council." It has not come to the attention of one member of the Boston City Council as yet. There is an honest element of doubt existing there, and it seems to me unwise for the Boston City Council to act hastily in the matter. I believe a better policy would be to get somebody connected with the university—either the president or somebody in executive authority—to explain to us the situation, so that we may ascertain the facts from them. Let us not be swayed by propaganda that may be issued through the public press and that may not be absolutely true. If it is true that the sentiments referred to here are the sentiments entertained by Harvard University, I would be very glad indeed to vote for the resolution as presented; but I would like to know that as a positive fact, as a certainty, before agreeing that that direct and positive charge is justified. I think it is hasty and ill-judged for us here to come to a conclusion until we have got the facts from some recognized authority.

President BRICKLEY—The order will be referred to the Executive Committee.

Coun. MORIARTY—Mr. President, I will move that the rule be suspended and that it go upon its passage.

Coun. WATSON—Mr. President, I have just come into the building inside of ten minutes. I could not have a chance to read the resolution as presented by the gentleman opposite or to hear the remarks upon it; nor have I had an opportunity to learn the situation upon which it is based. I think the matter ought to go to the Executive Committee, and I trust that the rule will not be suspended at this time.

Coun. MORIARTY—Mr. President, if it was a large document, one of many pages, I would be glad to withdraw the motion. But it is only a one-page document, and I believe anybody can in a few minutes get the gist of the resolution. I am surprised to hear any member of the Boston City Council say that he is no more alive to the situation here in Boston than to admit that he does not know about what is in the air in this respect. I am really surprised to hear a man elected by the voters of the City of Boston to membership in this body say that he does not know the feeling that exists. That is why I want the resolution to go on its passage, not because Coun. Watson was not here, but I believe the document is a very simple one and I believe that anybody in Boston who has been alive knows that the same thing has existed before, but never was made public by those in power at Harvard until the present time. Why, I as a boy can remember the prejudice that we had to suffer in the past. Many of the boys of our race did not get the recognition in athletics or otherwise that they should have received until within the last few years but on account of their superior qualities they have been compelled in later years to give them that recognition. When we are told that we should get this from better authority, what does that mean? Who does it mean? President Lowell? He has gone on record as going to Washington, as I said in my former remarks, for no other reason than to protest against the confirmation of lawyer Brandeis's appointment to the Supreme Court, and the only reason for that objection was that Mr. Brandeis was a Jew. I do not feel that there should be any hesitation in acting in this matter. I do not feel that there is any necessity of sitting down and considering it in Executive Committee, and I at this time do not feel that I can with-

draw my motion to suspend the rule. I still press that motion.

Coun. WATSON—Mr. President, since Friday afternoon at five o'clock I have been where I could not read or see a newspaper. I don't know to what this matter pertains, I know nothing about it. I am just as friendly to the Jews of Boston or the country as any member of this Council, but I feel that there is not an intelligent Jew in Boston who would not indorse my action in asking that the matter go to the Executive Committee. I do not see what harm can come from its going there. Our meetings are public. President Lowell has no string on me, and neither has Harvard College or the Goo-Goos. But let us not put ourselves into the position of being attacked for acting hastily on a proposition that should receive at least a few minutes' consideration. I did not hear the gentleman's remarks concerning the necessity for the order. He had concluded when I arrived here, and Coun. Hagan was talking. I have not had a chance in the world to know what it is all about, and as at least a reasonably intelligent man I demand an opportunity to have the matter considered in executive session.

Coun. HAGAN—Mr. President, I can hardly let the remarks of my esteemed colleague opposite (Coun. Moriarty) pass unnoticed. His remark that a member of the City Council must be dead if he was not conversant with conditions, is something that I think needs correction. I took no exception whatever to his remarks. I read, however, a part of the third paragraph in his resolution, which is positive in its statement, and I said it was not clear that that was true, and I asked that somebody in executive authority be brought before the City Council, if they would condescend or be willing to come, and give us the information at first hand. The gentleman puts into my mouth words that I never uttered. He says I have asked for better authority. I said nothing of the sort. I asked for competent executive authority to give us the information. It seems a simple request, and I am amazed at the gentleman's anxiety to push this through without having it go to the Executive Committee to receive the consideration it properly deserves. If the order has merit it can stand on its own feet and make its way through the Executive Committee without any trouble.

Coun. MORIARTY—Mr. President, that statement might be true of every order introduced here. There is order after order introduced, upon which extension of the rule is asked and is generally given. I think that Coun. Watson had a very just cause for asking reference, not hearing the resolution read and coming in after I had concluded, and when Coun. Hagan, if I may be allowed to use his name, had almost concluded. But this resolution is short, and the gentleman who was not present when I offered it can very easily see what it means. The gentleman opposite (Coun. Hagan) uses the language of Harvard more than the language that I use, and if he did not he would not have got the Good Government endorsement. It is the people who endorse him that he is here trying to protect today, because it is Harvard that dominates the Good Government Association, let alone Harvard College across the water. The gentleman wants time to get in touch with the people who made it possible for him to get that endorsement. I don't need to get in touch with those people to make up my mind and I don't need to have anyone come here and tell me that the conditions that exist in Harvard are being found out now for the first time.

Notwithstanding the fact that we have two Harvard graduates sitting with us as members of the Council, I have not heard either of them rise and ask that the matter be postponed; and if there is anybody, I suppose, who has the interests of Harvard at heart, it ought to be the two men who carry sheepskins from that institution. But neither one of them rose to his feet. I am not a candidate for office this year, so I am

not taking this position today so that I can use it on the stump. So nobody can criticise me at this time as using it for political purposes. I felt, and I feel now, that after Coun. Watson has had an opportunity to read the resolution he will agree to withdraw his objection and will not insist that it go to the Executive Committee. That is the reason why I took the floor at this time, to give him an opportunity to go over the one-sheet resolution, so that he may find out what is in it.

Coun. WATSON—Mr. President, I would like to ask the gentleman opposite what it is that Harvard College is doing that calls for this resolution, I not having been present when you introduced the resolution and made your speech.

Coun. MORIARTY—Mr. President, the news papers have stated within the last week that they have got together out at Harvard and decided that they were going to cut down the number of Jews whom they were going to admit into the institution.

Coun. HAGAN—Did the gentleman say the newspapers or a newspaper?

Coun. MORIARTY—I said the newspapers. This morning's *Post* to make it definite, says that they have postponed their action for one year; and if it was not proven to me that they had come to that conclusion, the postponing of it for a year shows conclusively to me that that has been their action.

Coun. WATSON—For the very reason the gentleman states that a Boston newspaper this morning prints something that he basis this order on, I want it to go into the Executive Committee, so that I may read the newspaper. I don't doubt the gentleman's veracity a particle, but I don't want to be made a monkey of, voting for some proposition brought into this body on the spur of the moment and which I know nothing about. I don't doubt Coun. Moriarty or any other member, but I want to be fortified as he feels that he is fortified. I want to read the Boston *Post* article. It may be one of the dreams that they indulge in frequently, and the gentleman himself has accused the papers of having dreams. I want something authentic. I want to know if there has been a protest upon this matter from the representative Jews of the community? If this is such a momentous matter as he claims why is it that there is not a delegation here to ask us to take some action? Why is there not somebody here with a remonstrance because of the newspaper reports he has referred to? I want also to know the father of the resolution, aside from the gentleman who introduced it. Who inspired it? That might be sufficient for me to scatter to the winds any possible objection I might have to taking action. I know as many of our citizens called Jews as any other member, and it is strange that nothing has been brought to my attention concerning this matter. But if it is one of those newspaper stories, worked up to increase circulation, I don't intend to be a tail to that kite. If it is a genuine movement, and has merit back of it, I will co-operate in any way I can. If there is the slightest attempt to discriminate against any of God's people, if such an institution as Harvard is becoming bigoted again as it was in the early days, I want to know it, and then if any vote of mine for a resolution will help create sentiment against such action, I will be the first one to take that step. But I do want to know something about it, and I am entitled to that knowledge. The member opposite (Coun. Moriarty) is not for one moment going to suggest that I hold any brief for Harvard College, because, considering the gentleman's limited education, mine was even more limited. I have I am sorry to say, a bigoted feeling towards Harvard College, but I do not intend to be used as a tool by any newspaper or newspapers to pass resolutions on their hearsay, when they may be interested in having action taken through ulterior motives. Mr.

President, I trust that the member opposite will give me an opportunity to read and to consider this resolution, as well as the subject matter upon which it is based. The resolution, as I read it, does not seem to mean much and does not appear to me to want to read the *Post* article on which he basis this order of his. I want to see if it is what they state, if it is quoted correctly, and whether there has been any objection or reply from those attacked in response to what appeared in the Boston *Post*. I want to know more about it and I know the gentleman, with his usual fairness, is going to give me the opportunity to read the *Post* article, and perhaps after I have done so there will be no stronger supporter of his position than I.

Coun. MORIARTY—The councilor on the other side says he wants an opportunity. The matter was thrashed out on Beacon Hill last week and the *Post* said there was a conference. The President of the Senate and the Speaker of the House were in touch with Harvard officials and after a consultation the matter was postponed for a year. The councilor (Coun. Watson) has said that he has been where he could not read the newspapers. I believe the councilor, but I say that any other member of the Council who claims not to have seen anything about this matter in the papers, although he has been where he could have read the newspapers, must have been dead. I repeat the statement, This has been in the Boston newspapers for the last three or four days. I don't believe anybody here will accuse me of being in touch with any of the newspapers, because none of them are my friends. I feel, Mr. President, that the resolution should absolutely go on its passage.

Coun. WATSON—Mr. President, do I understand that the gentleman withdraws his motion to suspend the rule?

President BRICKLEY—The Chair understands that he does not.

Coun. WATSON—Mr. President, in order that my position on this proposition may be made clear, I want it understood that my desire that this be referred to the Executive Committee, for report back today, is merely so that I may get as much light as any other member of the body has on the subject, and for no other reason. I don't desire to have it tied up in a knot. I am not at all in the position of opposing the resolution, but I do desire an opportunity to look further into it, and I will then stand prepared to vote "yes" or "no" on it today. If I am compelled to vote now, I shall feel obliged to vote against suspension of the rule, in order that I may have at least an hour's time to read some of the newspaper reports. If that motion does not prevail, I shall refrain from voting on the resolution, because I have not sufficient information to vote even half intelligently.

Coun. DONOGHUE—Mr. President, I do not intend to enter into this controversy, but I think perhaps the matter may be straightened out to the entire satisfaction of all the members of the Council if action on Coun. Moriarty's resolution is postponed until the end of the calendar. If that meets with Coun. Moriarty's approval, I would make that suggestion. If that does not prevail, I am prepared to vote for the resolution now.

Coun. MORIARTY—Mr. President, I am satisfied to have that action taken, but I am not satisfied to have the matter go to the Executive Committee, where it can be laid over. In executive session it takes only five votes to lay the matter on the table, and they are not going to put that over on me. Of course, as a matter of courtesy, if a matter is laid on the table in executive session, you cannot have it taken up on the floor of the Council. I am not going to get into that trap.

Coun. WATSON—Mr. President, for the information of the gentleman I will say that if the matter goes into Executive Committee, as far as my vote is concerned, it is going

to be reported back here today, whether it is going to be voted upon favorably or to be licked. That is my position. You needn't worry about my vote.

The Council voted to defer action until the end of the calendar.

Later in the session President Brickley called the matter up, and the question came on suspension of the rule for the passage of the resolution.

Coun. HAGAN—Mr. President, I am going to ask Coun. Moriarty to consider a very mild amendment to his resolution which would remove the objection that I personally have to it. As I said in talking upon this matter before, the sentiments contained in the resolution meet with my entire approval. Paragraph 3, however, makes a very positive statement, to which I am not clear that I want to agree. I refer to the paragraph which says, "Whereas, it has come to the attention of the Boston City Council, Now, it has come to the attention of the members of the Boston City Council through the press. I have read what has appeared, and I have read contradictions in other papers, and there is naturally a great deal of confusion in my mind. I don't want to make a positive statement or accuse these executives of doing something that they have no intention of doing. So my suggestion is that the good sentiment contained in the resolution might pass this body if the gentleman would agree to cross out of the first line in the third paragraph the words "It has come to the attention of the Boston City Council," and insert in place thereof the words "It has been stated in the Boston newspapers." That is a matter of fact. It has been stated in certain Boston newspapers, although denied in others. Nobody can take exception to our passing a resolution where we stick to the facts. I think my amendment is very mild, suggesting the words, "It has been stated in the Boston newspapers." I would like to vote for the entire resolution with the amendment in, but I cannot bring myself to believe that we ought to make a positive statement here in the form in which it is placed in this paragraph, convicting, as it were, the trustees and overseers of Harvard College of doing something, or intending to do something, when we don't know whether they intend to do it or not.

Coun. FORD—Mr. President, I am inclined to vote for the amendment, but I think it would be better to say "certain newspapers." I think that would express the situation more exactly, because I have seen it in more than one newspaper, if I remember correctly, although not in all of them. It may have been referred to in the others, but my recollection is that it was perhaps in not more than one, or possibly two.

Coun. HAGAN—Well, Mr. President, I will agree to that, I think it may have been in more than one paper.

Coun. WATSON—Mr. President, if I was as sure of my ground as the gentleman who introduces the resolution seems to be of his, I would gladly vote for the resolution without any amendment. In fact, I probably shall vote for it any way; but I think, in order to protect ourselves from possible criticism, it might be well to set forth the fact that the statement has been brought to our attention through the press. If Harvard College comes back and proves beyond a shadow of a doubt that nothing of the sort was ever contemplated, we might find that we had been placed in a ridiculous position, subject to criticism which we ought not to be obliged to bear. The proposed amendment does not change the sense of the resolution at all. The resolution as originally introduced says that it has come to the attention of the Boston City Council, and the proposed amendment would simply state that it has been stated in the press. I understand that all the information we have got concerning the matter has come from the press, that not a member has been approached concerning it. I have heard nothing

to indicate that any member has been approached, apart from the information that has been in the papers. I understand simply that it has been brought to the attention of the members of the Council in the *Post* and perhaps in some other papers. It seems to me that the amendment ought to be sufficient, and I trust that it will prevail.

Coun. MORIARTY—Mr. President I realize that, as far as the spirit of the resolution is concerned, my brother councilor's amendment is not going to change it one iota. But why put a cloak on? I don't care whether anybody knows where I got the information, whether I got it from the newspapers or any place else. I don't think I owe any apology to anybody as to where I got the information, or where any other member got the information. It has been drawn to our attention, whether by newspapers or any other source. But do you want to amend that so that it will appear that it has been brought to our attention by the newspapers? I feel that the resolution is perfect.

Coun. WATSON—With your usual modesty. Coun. MORIARTY—I did not write it. Nevertheless, I think that the resolution is perfect, and I believe that everybody else thinks that it is perfect. But somebody got in a hole, and now they are trying to dig out, so that they will not have to pull the hole in after them. That is the situation. There has been some talk, and they might be criticized for being against the resolution. The member designated a certain newspaper, but I think it has been in all of them. I think perhaps the *Telegram* may have been referred to, and everybody was afraid to be with the *Telegram*. The *Telegram* has never done anything for me. But I feel that the resolution should go through. I feel that, if the matter had been taken up with me before we came back into our meeting from executive session, I might have agreed to an amendment, but I believe that it at least should have been taken up with me. That is the custom here, but it seems that I am not in on customs. I will say to Coun. Watson that I feel that it is just the same kind of a move that was used in connection with the Baldwin place station, that the same sharp politics are being played on this as have been played on the Baldwin place station.

Coun. WATSON—Altogether different.

Coun. MORIARTY—You will remember my words last Monday or two weeks ago, that the old whip would be cracked today. It has been cracked, and we have come near to feeling the lash, through sharp politics. I feel that this resolution should go through as presented.

Coun. WATSON—Mr. President, I cannot permit the last statement of the gentleman concerning the lashing of the whip to pass without comment. I don't know whether he referred to me or not in speaking of the lash. But certainly if I heard the lash of the whip I did not obey very promptly. After all, however, as far as the Council is concerned, it is a matter of votes. If you get votes enough the thing passes; if not, it is defeated. There is no sharp practice in the matter. I certainly feel that if it were a very great and momentous question, if there was a great amount of public interest in it, it would have been brought to our attention in some clear and decided manner. The gentleman said that the *Post* had an article, and I read the *Post* through, he assisting me. I did not find much in my quest. I found an article by Rabbi Wise, but he didn't say anything about Harvard College. He used a lot of words, and that was all. However, I am going to vote for the amendment. Of course, nobody believes more in liberality in matters of race, religion and color, than I, and I will vote for the resolution in any event, finally. But I prefer not to have it laid open to criticism. Perhaps if we do not properly amend it we will simply make ourselves a laughing stock. The representatives of Har-

vard may come out with a statement showing that all this talk about Harvard prescribing a particular race has nothing to it, so that we will simply have been shooting into the air. However, I am not against the resolution. I am simply against our unnecessarily placing ourselves in a false position.

Coun. FORD—Mr. President, I am going to vote for the amendmnt, but I really see no difference in the resolution as it is proposed to amend it and as it was originally offered. If the amendment prevails, I want to state that I would have voted for the original if it had remained before th Council.

The question came on the adoption of the amendment.

Coun. WATSON—Mr. President, I think I ought to prolong this meeting just a few moments, asking unanimous consent to make a statement. If Coun. Ford, opposite, a lawyer and a graduate of Harvard, sees no difference between the resolution as it is proposed to amend it and as it is originally offered, I certainly see no object in adopting the amendment.

President BRICKLEY—Does the gentleman withdraw the amendment?

Coun. HAGAN—No, Mr. President.

President BRICKLEY—The amendment is not withdrawn.

The amendment was adopted, inserting in the third paragraph, in place of the words "it has come to the attention of the Boston City Council," the words "it has been stated in certain newspapers," yeas 5, nays 4:

Yeas—Coun. Ford, Gilbody, Hagan, Lane, Watson—5.

Nays—Coun. Brickley, Donoghue, Moriarty, Walsh—4.

The resolution as amended was adopted, Coun. WATSON asking for the yeas and nays, yeas 9, nays 0.

CLOSING OF REGISTRY OF DEEDS OFFICE.

Coun. FORD offered an order—That the office of the Registry of Deeds and the Registry of Probate be closed on week days, except Saturdays, at four o'clock p. m. from July 1 to September 1, 1922, inclusive.

Passed under a suspension of the rule.

BLEACHERS, ETC., COTTAGE STREET PLAYGROUND.

Coun. FORD offered an order—That the Park Department, through his Honor the Mayor, be requested to provide the Cottage Street Playground in East Boston with bleachers and shower baths.

Passed under a suspension of the rule.

PENSION FOR MARY M. FITZSIMMONS.

Coun. FORD offered an order—That chapter 454 of the Acts of 1922, entitled "An Act Authorizing the County of Suffolk to Pension Mary M. FitzSimmons" be and the same hereby is accepted.

Passed under a suspension of the rule.

PENSION FOR MICHAEL BATH.

President BRICKLEY offered an order—That under the provisions of chapter 369 of the Acts of 1922 Michael Bath, employed as a fireman in the Public Buildings Department, be and hereby is retired at an annual pension of one-half his present compensation.

Passed under a suspension of the rule.

SIDEWALK ORDERS.

President BRICKLEY offered the following: Ordered, That the Commissioner of Public

Works make a sidewalk along both sides of Lawn street, from Heath street to Heath street, Ward 14, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Tappan street, from South street, Ward 23, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 3.07 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members reassembled in the chamber and were called to order by the President at 4.18 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Reports on petitions (referred today) for permits for children under fifteen years of age to appear at various places of amusement—that permits be granted, viz.:

Gertrude A. Goodman, Dorchester High School Gymnasium, June 2.

Gertrude A. Goodman, Municipal Building Hall, South Boston, June 9.

John P. Manning, Mechanics Building, May 30.

Rev. Joseph R. Hurley, Boston College High School Hall, June 12.

Amy T. Rawson, Steiwert Hall, June 23.

Mary E. Edelblute, Dorchester High School Hall, June 7.

Reports accepted; permits granted on the usual conditions.

2. Report on petition of William S. Clancy (referred today), to be retired—recommending the passage of the following, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, William S. Clancy, employed in the labor service of the City of Boston, in the Public Works Department.

Report accepted; order passed.

3. Report on petition of John Quilty (referred today) to be retired—recommending the passage of the following, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, John Quilty, employed in the labor service of the City of Boston, in the Public Works Department.

Report accepted; order passed.

4. Report on message of Mayor, communication and order (referred today), for sale of pigs by the Institutions Department—that the order ought to pass.

Report accepted; order passed.

5. Report on message of Mayor and order (referred today), concerning expenses of Trustees and Manager of the George Robert White fund—that the order ought to pass.

Report accepted; order passed, yeas 9.

6. Report on message of Mayor, communication and order (referred today) for transfer of \$5,000 for filling in of Carroll's Pond—that the order ought to pass.

Report accepted; order passed, yeas 9.

7. Report on message of Mayor, communication and order (referred today) for appro-

priation of \$16,623.45 from Water Service Income—that the order ought to pass.

Report accepted; order passed, yeas 9.

8. Report on message of Mayor, communication and order (referred today) transferring \$327.42 from Reserve Fund to Public Buildings Department—that the order ought to pass.

Report accepted; order passed, yeas 9.

9. Report on petition of Mt. Lebanon Cemetery Association (referred May 15) for land for burial purposes—recommending the passage of the following, viz.:

Ordered, That permission be granted to the Mt. Lebanon Cemetery Association to use land on Baker street for burial purposes, said land being bounded, viz.: Northeastly by Baker street eight hundred and sixty-nine and 6-10ths feet; southeasterly by Brook Farm, so called, now of the Association of the Evangelical Lutheran Church for Works of Mercy, five hundred and ninety-two and 7-10ths feet; southwesterly, by said Brook Farm, now of said Church, four hundred and thirty-two and 3-10ths feet; northeasterly, again, by said Brook Farm, now of said Church, twenty-three hundred and ninety-six and 7-10ths feet, (2396.7); southwesterly, again, by said Brook Farm now of said Church, six hundred and thirty-four (634) feet; to land set off to Smith and Orange, under partition proceedings: northwesterly, by said land, set off to Smith and Orange, twenty-four hundred and fifty-five feet (2455) to a stake and stone, and northwesterly, again, by said land set off to Smith and Orange eight hundred and eighteen (818) feet to said Baker street at point forty (40) feet southeasterly from Smith's own land, containing fifty (50) acres more or less, being the same premises set off to Gottlieb F. Burkhardt by decree of Norfolk County Probate Court, April 22, 1874, all of which, is more particularly shown on plan by Whitman and Howard, Civil Engineers, dated March 1919 hereto annexed.

The report was accepted.

Coun. Walsh moved a suspension of the rule that the order might be put upon its passage.

Coun. FORD—Mr. President, it being necessary under our rules to give a public hearing, I am voting "no," because I think a public hearing ought to be given before granting such a permit.

The rule was suspended, yeas 6, nays 2 (Coun. Gilbody not voting):

Yeas—Coun. Donoghue, Hagan, Lane, Moriarty, Walsh, Watson—6.

Nays—Coun. Brickley, Ford—2.

The order was passed, Coun. FORD calling for the yeas and nays, yeas 6, nays 3:

Yeas—Coun. Donoghue, Hagan, Lane, Moriarty, Walsh, Watson—6.

Nays—Coun. Brickley, Ford, Gilbody—3.

10. Report on order (referred today) to close offices of Registry of Deeds and Registry of Probate week days, except Saturdays, at four o'clock from July 1 to September 1, 1922; that the order ought to pass.

Report accepted; order passed.

11. Reports on communications from Street Commissioners for hearings on petitions to store and keep for sale gasoline—that the same be placed on file, viz.:

12. Communication (referred April 17); communication (referred May 8); communication (referred May 15).

Reports accepted; communications placed on file.

BALDWIN PLACE PLAYGROUND.

Coun. LANE, for the Committee on Finance, submitted a report on message of Mayor, communication and order (referred April 10) for loan of \$70,000 for playground, Baldwin place—that the order ought to pass.

The report was accepted, and the question came on the passage of the order. The roll was called, and the order failed of passage (six votes being necessary for its passage), yeas 5, nays 4:

Yeas—Coun. Ford, Gilbody, Hagan, Lane, Watson—5.

Nays—Coun. Brickley, Donoghue, Moriarty, Walsh—4.

Coun. HAGAN—Mr. President, I move a reconsideration of that vote.

Reconsideration prevailed, yeas 6, nays 3: Yeas—Coun. Brickley, Ford, Gilbody, Hagan, Lane, Watson—6.

Nays—Coun. Donoghue, Moriarty, Walsh—3.

Coun. Moriarty—Mr. President, I move that we now take a vote on No. 1 on the calendar.

(The No. 1 referred to by Coun. Moriarty was not the No. 1 appearing at the head of the calendar, appointments, under unfinished business, but appeared at the end of the calendar, as follows: "Recommendations by the Mayor,—The following matter has been recommended by the Mayor for adoption by the City Council and becomes effective as indicated, unless previously rejected or withdrawn. In effect after June 9, 1922.

"1. Order for a loan of \$70,000 for playground, Baldwin place. Filed April 10, 1922. Referred to the Committee on Finance."

President BRICKLEY—The motion is not in order, on account of the Baldwin place matter being before the Council.

Coun. MORIARTY—Mr. President, that is what I want to bring up. It is now before the Council.

President BRICKLEY—The Council has reconsidered the action whereby it refused to pass the order with reference to the Baldwin place property as reported by the Committee on Finance, and that matter is now before the Council.

Coun. MORIARTY—And that is the matter on which I move that we take action, Mr. President.

President BRICKLEY—I am now putting it to a vote.

Coun. HAGAN—Mr. President, I move that we recommit the matter to the Finance Committee.

Coun. LANE—Mr. President, I move that further consideration be deferred until next week.

Coun. WATSON—Mr. President, I would like to know the purpose of reconsideration. I voted to reconsider. I want to know why the gentleman moved to reconsider.

Coun. HAGAN—Mr. President, I want it active before the Council.

Coun. WATSON—Well, it will be active through being sent in by the Mayor again, will it not?

President BRICKLEY—The question is on Coun. Lane's motion to assign to the next meeting.

Coun. MORIARTY—Mr. President, I had made a previous motion that we take immediate action, before Coun. Lane was recognized by the Chair.

President BRICKLEY—But the motion is out of order.

Coun. MORIARTY—I wish to disagree with the Chair, Mr. President. I will say that when it was reconsidered it was still before the Council for action. It was in the same category as it was prior to the Finance Committee reporting. It was on the calendar and, Mr. Chairman, I believe it is a proper matter for me to bring before the Council at this time.

Coun. WATSON—Mr. President, I voted for the order which we have just voted to reconsider, but if anybody wants to risk a question about my turning a somersault, I simply want to say that I will turn one at any time, legitimately. If it is a question of attempting to put this through by a technicality, by camouflage, or by a trick, I am against it absolutely. I voted for the proposition on merit. If it cannot get six votes in this body on merit, it should not be passed. If the matter is reconsidered and referred to a committee and the date of June 9 passes, in my opinion the order becomes effective. If that is so, I don't propose to be a party to any such action, and if the members of this Council, all or any, desire to say that I am taking a somersault on the matter, I am perfectly willing to wear the title; but it is no worse than attempting to pass something through here by a technical, cunning trick. I don't know whether or not it is a

trick by arrangement, or whether we have fallen on it by accident. I am not accusing any member of being crooked in the proposition or trying to do anything crooked, but I am not going to be a party to it regardless of who may criticize me or why.

Coun. FORD—Mr. President, I think the councilor opposite (Coun. Watson) is exactly right. I just told my friend on the left that I was for the proposition if we could get the votes, but never since we have been here have we allowed a measure to get by with sharp parliamentary procedure. It is not fair or right. Coun. Moriarty knows the situation, and knows that the matter would come into force, as stated on the calendar after the lapse of sixty days. I really think we should take a vote on the merits of the proposition. Of course, Coun. Lane has the matter in a hole, because his motion to lay on the table takes precedence of any motion Coun. Moriarty may make, and has to come before the City of Boston. I think in all fairness Coun. Lane ought to withdraw the motion to lay on the table and let us vote on the merits; and if there are not six votes here on the merits I don't think we ought by parliamentary procedure to allow the matter to stand in this way, no action being taken, and letting it go into force because of that fact. I don't think anybody here wants to do that.

Coun. LANE—Mr. President, I withdraw the motion and trust that action will be taken at the present time.

The yeas and nays were called on the passage of the order, and the order was rejected (six votes being required for passage), yeas 5, nays 4:

Yeas—Coun. Ford, Gilbody, Hagan, Lane, Watson—5.

Nays—Coun. Brickley, Donoghue, Moriarty, Walsh—4.

COUNTY ACCOUNTS.

Coun. FORD, for the Committee on County Accounts, submitted the following, viz.:

1. Report on communication from justice of the Dorchester Municipal Court (referred May 15) fixing salary of probation officer—recommending the passage of the following, viz.:

Ordered, That the salary of Reginald H. Mair, probation officer of the Municipal Court of the Dorchester District of the City of Boston, determined by the justice of said court at the rate of \$2,500 per annum, to date from January 1, 1922, be and the same hereby is approved.

Report accepted; order passed.

2. Report on order (referred May 22) accepting chapter 267, Acts of 1922, for pensioning of Michael F. Meagher—that the order ought to pass.

Report accepted; order passed.

LOCKER BUILDING, BRIGHTON.

Coun. WALSH offered an order—That the sum of \$30,000 be appropriated for locker building and improvements at Reservoir Playground, Brighton, and that to meet such expense the City Treasurer be authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1, 2, 3 and 4, viz.:

Action on appointments submitted by the Mayor May 22, 1922, viz.:

1. Francis J. Tobin, John F. Pettiti, Samuel Shain, John M. McGowan, John F. Campbell, Herbert D. Sawyer and Antonio Laureana, to be Constables.

2. William C. Cuthbertson, to be a Weigher of Coal.

3. Edward J. Bacon, to be a Weigher of Beef.

4. Robert J. Carmichael and Chester D. Burke, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Ford and Donoghue. Whole number of ballots cast 9, yeas 9, nays 0, and the appointments were confirmed.

TRANSFER OF CITY LAND.

President BRICKLEY called up unfinished business, No. 5, viz.:

5. Ordered, That his Honor the Mayor be authorized in the name and behalf of the city to execute, for a nominal consideration, a deed in form satisfactory to the Law Department conveying to Mary Doherty all the rights, if any, the city has in a triangular lot of land at the southerly corner of Snow Hill street and Sheafe street, containing 94 square feet, more or less, said lot being a portion of Snow Hill street, discontinued as a public way by an order of the Board of Street Commissioners approved October 30, 1914.

On May 22, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

CONVEYANCE OF LAND TO BOSTON ELEVATED.

President BRICKLEY called up unfinished business, No. 6, viz.:

6. Ordered, That his Honor the Mayor be and hereby is authorized in the name and behalf of the city and by a deed in form satisfactory to the Law Department, to convey to the Boston Elevated Railway Company for a sum not less than twenty-five hundred (2,500) dollars, a parcel of land on the northerly side of Spring street near the Charles river, containing about 50,000 square feet, with such reservations as he may deem necessary for public access to the bank of the river and any public landing which is or may hereafter be established thereon.

On May 22, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

CONVEYANCE OF LAND TO COMMONWEALTH.

President BRICKLEY called up unfinished business, No. 7, viz.:

7. Whereas, The City of Boston by deeds from the executor of and trustee under the will of Benjamin Adams, dated April 30, 1883, recorded with Suffolk Deeds, Lib. 1595, pages 395 and 396, acquired titles to certain lands, beach and flats on Q street, now Farragut road, in the South Boston district, extending easterly and northerly to low water mark, "to be used for the purposes of a public park," and the said city by a taking recorded with said deeds, Lib. 1597, page 591, took the said land, beach and flats "as and for a public park"; and

Whereas, The Board of Park Commissioners of the City of Boston by the three following acts was authorized to make such excavations and filling and erect and maintain such structures in and over the area of tide water at or near Dorchester Point as the Board may deem necessary or desirable for the purposes of a public park: chapter 360 of the Acts of 1885, covering the area which lies southerly of the northerly line of East First street extended easterly to Castle Island and east of the westerly line of Q street, extending southerly into Old Harbor; chapter 427, section 1, of the Acts of 1887, covering the area which lies south of a line drawn parallel to and three hundred (300) feet northerly from the northerly line of East First street extended easterly to Castle Island and easterly of the westerly line of Q street, extended northerly to an intersection with said parallel line and southerly into Old Har-

bor; and chapter 438 of the Acts of 1889, covering the area which lies east of the westerly line of Q street and extending southerly into Old Harbor and northerly to the southerly line of the Reserve channel as established by the Board of Harbor and Land Commissioners under chapter 46 of the Resolves of 1886, and south of the southerly line of the said Reserve channel; section 2 of said chapter 438 provides that "all lands of the Commonwealth which are occupied or enclosed under the provisions of this act shall be appropriated to and used solely for the purposes of a public park"; and

Whereas, The location of the Reserve channel as established under chapter 46 of the Resolves of 1886 was changed under the authority of chapter 90, Resolves of 1911, leaving a large area of land belonging to the Commonwealth lying between the two locations of the southerly line of the channel adjacent to the said land, beach and flats owned by the City of Boston for a public park, and whereas in order to furnish approaches to, and properly develop this area it is necessary to use a portion of the said land, beach and flats which the city owns and was authorized to occupy for a public park; and

Whereas, By agreement between the Department of Public Works of the said Commonwealth and the Mayor and Park and Recreation Commissioners of the City of Boston, the Commonwealth in connection with the filling of the area lying between the old and new locations of the southerly line of the Reserve channel has in addition filled a portion of the flats adjacent to the land of the City of Boston used for a public park with the understanding that a portion of such area should be transferred to the Commonwealth in order to provide proper facilities for reaching and developing the land of the Commonwealth which has been filled; and, further, that the Commonwealth release any interest it may have in and to all land, beach and flats lying between Marine Park and Castle Island and extending southerly from the northerly side of the existing bridge that connects City Point with the said island; and that the Commonwealth agree to perform certain acts in regard to the filling of those flats and making a beach running into Pleasure bay, and in regard to the location and construction of a street one hundred feet wide, and to restrict a certain area.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city, in accordance with the provisions of chapter 748 of the Acts of 1911, to convey to the Commonwealth of Massachusetts all the rights, title and interest which the City of Boston has in and to the land and flats on the easterly side of Farragut road in the South Boston district, containing approximately forty-nine thousand and eight hundred (49,800) square feet of solid land, and three hundred eighty-seven thousand and one hundred eighty-three (387,183) square feet of flats to be devoted to commercial purposes, and forty-one thousand (41,000) square feet of solid land and one hundred and forty-eight thousand eight hundred seventy (148,870) square feet of flats over which the Commonwealth is to construct a street or way to be used in part for commercial purposes, all as shown on a plan made by Henry C. Mildram, real estate engineer, dated February 14, 1921, in exchange for conveyance by the said Commonwealth of all its rights, title and interest in and to the lands and flats lying between Marine Park, as now filled, and Castle Island, and extending from the southerly line of the said land and flats to be released to the Commonwealth southerly into Old Harbor, and the agreement by the Commonwealth that it will complete the filling of the flats from the southerly line of the flats to be released to it to the southerly side of the existing bridge that connects City Point with said island, the material dredged from the harbor making a beach sloping from the southerly side of the said bridge southerly into Pleasure bay, the beach being made at such slope as the material will naturally assume when placed by a hydraulic dredge; the

said Commonwealth further agrees never to erect any building or buildings on the land or flats owned by it lying between Castle Island and the red line shown on said plan and marked "Restriction line, beyond which on the east side no buildings are to be erected," and within a reasonable time to locate and construct a street or way one hundred feet wide within the premises to be released to it and along the southerly line thereof extending from East First street easterly to the line of riparian ownership, using a strip twenty-three (23) feet wide for the location of two standard gauged railroad tracks to be used for commercial purposes, with branches leading into the areas on the northerly side of said street, the Commonwealth to pave and regulate the portion of said street northerly of the said twenty-three foot strip and agree that the city reserve the right to develop that portion of said street south of the said strip for park purposes.

Both conveyances and agreements referred to in this order are to be in form satisfactory to the Law Department.

On May 22, 1922, the foregoing order was read once and passed, yeas 7, nays 2.

The preambles and order were given their final reading and passed, yeas 7, nays 2, Coun. FORD and MORIARTY voting nay.

MONEY FOR STATION 2 BUILDING.

The following was received:

City of Boston,

Office of the Mayor, June 3, 1922.

To the City Council:

Gentlemen,—The City has acquired the plot of land at the corner of Milk and Sears streets, city proper, as a site for a new Police Station 2 building.

The Superintendent of Public Buildings estimates the cost of a building suitable for the police requirements will be \$500,000. As the plans are practically completed, it is desirable that work be started on this structure as soon as possible. I therefore recommend the passage of the accompanying order by your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

Boston, June 3, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I wish to advise you that I have recently been in communication with Mr. James Purdon, architect on the proposed Police Station 2, to be located on Milk and Sears streets, and he informs me that plans are practically completed and will be wholly completed within two weeks' time. He estimates that the cost of a building suitable for the police requirements, and in accordance with the plans as drawn, will cost approximately \$500,000, and I respectfully request that an appropriation in this sum be made in order to proceed with this work as soon as possible.

Respectfully yours,

FRED J. KNEELAND,
Superintendent of Public Buildings.

City of Boston,

Police Department, June 5, 1922.

Hon. James M. Curley,

Mayor of Boston:

My dear Sir,—I wish to state that I have thoroughly gone over the matter of the requirements for a new site for Police Station 2. I have gone over all the correspondence in this office which has passed between the former commissioner, Mr. Curtis, and your immediate predecessor, Mayor Peters, and I concur in the proposition arrived at by my immediate predecessor, Mr. Curtis, that the proper location for this new station house is at the lot on Milk and Sears streets, now owned by the City of Boston and purchased by the city for that purpose. This lot is nearly rectangular in shape, has a ground area of 5,795 square feet, and with the building built as called for by the plans submitted to this

department by Mr. Purdon, the architect, I feel it will make an adequate station house for the purposes of this department.

Very truly yours,

HERBERT A. WILSON,
Police Commissioner.

Ordered, That the sum of \$500,000 be appropriated, to be expended by the Superintendent of Public Buildings, for the erection and completion of a new building for Police Station 2, and that the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness to said amount.

Referred to the Committee on Finance, on motion of Coun. FORD.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.55 p. m., on motion of Coun. DONOGHUE, to meet on Monday, June 12, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 12, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for the terms specified, viz.:

1. Frederick M. J. Sheenan, 94 Ocean street, Dorchester, to be a Director of the Workingmen's Loan Association.

2. Peter A. Donovan, 104 Elm street, Charlestown, to be a Director of the Collateral Loan Company, for the term ending December, 1922, in place of Irvin McDowell Garfield.

3. Leslie S. Kinsman, 47 Warren street, Medford, to be a Weigher of Coal, for the term ending April 30, 1923.

4. Louis F. White, 132 Library street, Chelsea, to be a Weigher of Goods and a Gauger of Liquids, for the term ending April 30, 1923.

5. Donald Lincoln, 128 South street, Hingham, Mass., to be a Weigher of Beef, for the term ending April 30, 1923.

John J. O'Leary, 71 Gardner street, West Roxbury, to be a Weigher of Goods, for the term ending April 30, 1923.

Severally laid over under the law.

BATHING BEACH, CHARLES RIVER BASIN.

The following was received:

City of Boston,

Office of the Mayor, June 12, 1922.

To the City Council:

Gentlemen,—In response to your communication of March 13, I beg to submit herewith report received from the Park Department.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Park Department, June 7, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I have your memorandum of March 15 relative to the City Council order to consult with the Metropolitan District Commission on the matter of a bathing beach in Charles River Basin, this order having passed the Council on March 13.

In answer I will say that after deliberation with the officials of the Metropolitan District Commission, and considering our past experiences in bathing beaches, this Board is opposed to the establishment of any bathing beaches in the Charles river.

For many years the Bath Department of Boston maintained a floating bath at Spring Street Bridge, at Charles river. Many deaths were caused in the neighborhood, none of which occurred in the floating bath, but the bathing in the vicinity was very dangerous, notwithstanding the fact that attendants at the floating bath were always on hand to assist.

Very truly yours,

JAMES B. SHEA, Chairman.

Placed on file.

INVESTIGATION OF EDISON ELECTRIC ILLUMINATING COMPANY.

The following was received:

City of Boston,

Office of the Mayor, June 12, 1922.

To the City Council:

Gentlemen,—Investigation of the Edison Electric Illuminating Company, which has been in progress for some time, should, in my opinion, be continued until a decision is reached, and I accordingly recommend the adoption of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That an additional sum not exceeding \$25,000 be authorized to be expended for the purpose of meeting charges for expert services, stenographic services, additional legal assistance and other necessary and proper expenditures in connection with the hearing on the request for arbitration under the street lighting contract between the City of Boston and the Edison Electric Illuminating Company, dated December 7, 1914, and under the petition for a reduction in the prices of electricity filed by the Mayor with the Public Utilities Commission, said amount to be charged to the Reserve Fund. All expenditures shall be subject to the written approval of the Mayor and the Corporation Council.

Referred to the Executive Committee.

TRANSFERS FROM RESERVE FUND.

The following was received:

City of Boston,

Office of the Mayor, June 12, 1922.

To the City Council:

Gentlemen,—I transmit herewith various requests for transfers from the Reserve Fund and respectfully request the passage of the accompanying orders.

Respectfully,

JAMES M. CURLEY, Mayor.

Clerk's Office,
Superior Court, Suffolk County,
Boston, June 9, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—In accordance with the provisions of chapter 454 of the Acts of 1922, Mary M. FitzSimmons, an employee of this office, was retired June 7, 1922.

The amount required for her pension for the balance of the year is \$592.64.

I request an appropriation for that amount under item F-7.

Respectfully,

FRANCIS A. CAMPBELL, Clerk.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund \$592.64, to the appropriation for Superior Court, Civil Session, Clerk's Office, F-7, Pensions and Annuities, \$592.64.

City of Boston,

Public Buildings Department,
May 24, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I respectfully request that the following addition be made to the appropriation for Public Buildings Department (County Buildings), the same being occasioned by the retirement of Michael Bath, fireman, dated May 17, 1922:

From the appropriation for Reserve Fund, \$613.25, to the appropriation for F-7, Pensions and Annuities, \$613.25.

Respectfully yours,

FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$613.25, to the appropriation for Public Buildings Department (County Buildings), F-7, Pensions and Annuities, \$613.25.

Referred to the Executive Committee.

SALE OF HOUSE, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1922.
To the City Council:

Gentlemen,—I am in receipt of the inclosed communication and believe that a fair price for the wooden house located on plot of land at River and Winthrop streets, Hyde Park, would be an amount halfway between that recommended by the Board of Street Commissioners and the assessed valuation, namely, \$900.

I accordingly recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Street Laying-Out Department,
June 10, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—In accordance with an order of the City Council, approved by your Honor May 24, 1922, the Board of Street Commissioners offered for sale, at a public auction held on Friday, the 9th instant, a wooden house located on a lot of land at the junction of River and Winthrop streets, Hyde Park district, the same having been taken for municipal purposes by an order of this Board dated January 16, 1922. In accordance with the aforesaid order of the City Council this building was offered for sale at a minimum price of \$1,500 and no bids were received.

The Board is of the opinion that it will be impossible to dispose of this house at the upset price indicated in the Council order and believes that it would be advisable to adopt another order authorizing a sale at a minimum price of \$300. The auctioneer, Mr. Edward W. Foye, is in accord with the Board in this opinion.

Respectfully yours,
JOSEPH F. SULLIVAN, Secretary.

Ordered, That the Board of Street Commissioners be authorized to sell at public auction at a price not less than nine hundred (\$900) dollars a wooden house located on plot of land at the junction of River and Winthrop streets, Hyde Park, which was taken for municipal purposes by order approved January 16, 1922.

Referred to the Executive Committee.

WALTER SCOTT MEDALS.

The following was received:

City of Boston,
Office of the Mayor, June 12, 1922.
To the City Council:
Gentlemen,—Upon April 26, 1922, Walter Scott of 495 Broadway, New York, presented the City of Boston two solid gold medals to be known as the "Walter Scott Medals for Valor," the design of which has been approved by the Boston Art Commission.

One of the medals is to be presented by the Police Commissioner and the other by the Fire Commissioner to the member of either department who, during the calendar year, had especially distinguished himself for valor in the performance of duty.

In addition to the medals, two $7\frac{1}{2}$ per cent bonds of the Government of the French Republic, numbers M55853 and M55854, maturing June 1, 1941, in the sum of \$1,000 each, were likewise presented, to be held by the

City Treasurer in perpetual trust, the annual income therefrom to be used in the purchase each year of two solid gold medals.

The medals for the current year have been turned over as per request by the City Treasurer to the Police Commissioner and the Fire Commissioner, while the two bonds have been placed in the city treasury, and that the wishes of the donor may be complied with, I respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the gift of bonds of the par value of two thousand dollars (\$2,000) made by Mr. Walter Scott, formerly of Boston, now of 495 Broadway, in the City of New York, be and the same is hereby accepted by the City of Boston to be held in perpetual trust, and the annual income therefrom to be used in the purchase of solid gold medals to be known as the "Walter Scott Medal for Valor."

It is further provided that the said gift is to be held by the city in perpetual trust and placed in the hands of the City Treasurer to pay the net income thereof annually as follows: One-half thereof to the Fire Commissioner of the City of Boston for the purchase of such solid gold medal to be presented by him to the fireman who in his judgment has during the calendar year specially distinguished himself for valor in the performance of his duty as a fireman; and to pay the other half thereof to the Police Commissioner of said city for the purchase of such gold medal to be presented by him to the policeman who in his judgment has during the calendar year specially distinguished himself for valor in the performance of his duty as a policeman. If in any year the Fire Commissioner or the Police Commissioner or both of them, be respectively of opinion that there is no fireman or no policeman entitled to receive such medal, or if there be surplus income above what is required to purchase such medals as may be awarded, the unexpended or surplus income of the said fund shall be added to and become a part of the principal.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Leo Bashitzky, for refund of fee paid for pool room license at 127 Leverett street, which was never used.

Mabel Berg, for compensation for injuries caused by a defect in State street, on crosswalk at Devonshire street.

Lucille Brenner, for compensation for damage to automobile by a team of the Public Works Department.

Anna F. Cutter, for compensation for collapse of boiler at 56 Claybourne street, caused by installation of a water meter.

T. F. Fallon, for compensation for a plate glass window on premises at Cleary square broken by a police officer.

Gans Brothers (by J. W. Westcott) for compensation for damage to automobile on the East Boston Ferry.

L. S. Deane, for compensation for damage to automobile by a city cart.

Florence Goldblatt, for a hearing on claim for injuries caused by a defect in sidewalk at 145 Homestead street.

Dudley G. Kimball, for compensation for damage to automobile by collision with automobile commanded by a police officer.

Charles Legarco, for compensation for damages at 41 Endicott street by overflow of water.

Gertrude E. Lennon, for compensation for damage to automobile on the East Boston Ferry.

Annie Leonard, for compensation for injuries caused by a defect in the highway at 42 Dean street.

John F. Leonard, for refund of ash tickets, which are unused.

A. J. McGowan, to be reimbursed for expense of repairing drain at 931 and 933 Broadway, South Boston, stopped up by roots of trees.

Richard Minton (by Michael Minton) for a hearing on his claim on account of a defect in Allston street.

Gracie T. Morin, to be paid for window and glass sign at 527 Massachusetts avenue, broken by jarring of heavy trucks passing over a hole in street in front of said premises.

Mourad Mouradian, for compensation for damages at 3411 Washington street by a police officer.

Sarah Pofcher, for compensation for collapse of boiler at 20 Lynde street due to water works.

Price Brothers, for compensation for damage to wagon by a city team.

Rose Rosenthal, for compensation for injuries caused by a defect in highway at 136 and 136A Harvard street, Dorchester.

George N. Treantafil, for refund of tax in 1919 wrongfully assessed to him.

Executive.

Petitions for permits to sell, rent or lease firearms at various locations, viz.:

Maurice Pearlstein, 122 Court street, Ward 5.

Norman Loan Company, 67 Green street, Ward 5.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of James B. Cushing, John A. Duggan, David A. Greenberg, Antonio Laureana and Herbert D. Sawyer.

Placed on file.

NOTICES OF APPOINTMENTS.

Notice was received from the Mayor of the appointment of Timothy W. Kelly as Soldiers' Relief Commissioner, a certified copy of the same having been sent to the Civil Service Commission.

Placed on file.

Notice was received from the Mayor of the appointment of John H. Dunn as Soldiers' Relief Commissioner (temporarily).

Placed on file.

STORAGE AND SALE ON GASOLINE.

Notice was received from the Street Commissioners of hearings on June 13, at 11 o'clock a. m., on petitions for storage and sale of gasoline.

Placed on file.

LEASING OF SCHOOL BUILDING.

A copy of a preamble and order was received from the School Committee recommending the leasing of the Adams Street School building, Dorchester, to Old Dorchester Post, No. 65, American Legion.

In connection with the communication COUN. GILBODY offered an order—That the School Committee be authorized, with the approval of the Mayor, to lease to the Old Dorchester Post, No. 65, a duly authorized post of the American Legion, the schoolhouse and site situated on Adams street, in the Cedar Grove section of Dorchester.

Passed, under a suspension of the rule.

REPAIR OF FLAGPOLES.

President BRICKLEY offered an order—That the City Messenger be authorized to

make such urgent repairs on the flagpoles in his care as may be necessary, the expense attending the same to be charged to the appropriation for City Council, G-1, Flags, Ropes and Stakes.

Passed, under a suspension of the rule.

JOHN FRANCIS HASSON SQUARE.

President BRICKLEY offered an order—That the open space at the junction of Dennis and Woodville streets, Roxbury, be named John Francis Hasson square, in memory of said Hasson, who lost his life in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed, under a suspension of the rule.

PENSION SYSTEM.

President BRICKLEY offered an order—That chapter 521 of the Acts of 1922, entitled "An Act Providing Retirement Allowances Based on Annuity and Pension Contributions for Employees of the City of Boston or of the County of Suffolk," be and the same hereby is accepted.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3.35 o'clock p. m., on motion of COUN. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 6.06 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

COUN. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor, communication and order (referred today) for sale of wooden house at junction of River and Winthrop streets, Hyde Park, for \$900—that the order ought to pass.

Report accepted; order passed.

2. Report on message of Mayor, communications and orders (referred today) for transfers from Reserve Fund to Superior Civil Court and Public Buildings Department—that the orders ought to pass.

Report accepted; orders passed, yeas 9, nays 0.

3. Report on message of Mayor and order (referred today) accepting gift made by Mr. Walter Scott for medals of valor—that the order ought to pass.

Report accepted; order passed.

4. Report on message of Mayor and order (referred today) appropriating \$25,000 additional for arbitration of street lighting contract with the Edison Electric Illuminating Company—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

PARKMAN FUND.

COUN. HAGAN, for the Committee on Parkman Fund, submitted a report on message of Mayor, communication and order (referred June 5) for appropriation of \$16,000 from Parkman Fund income for various park improvements—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

FINANCE.

COUN. LANE, for the Committee on Finance, submitted a report on message of Mayor, communications and order (referred June 5)

for appropriation of \$500,000 for Police Station 2—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 8, nays 1, Coun. MORIARTY voting nay.

The order will take its final reading not less than fourteen days from date.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 to 3, inclusive, viz.:

Action on appointments submitted by the Mayor June 5, 1922, viz.:

1. Thomas J. Stillman, William P. Duffy, Peter J. Lydon, John J. Mathony and Vincenzo Musto, to be constables.

2. F. G. Newman, to be a Weigher of Coal.

3. Horatio S. Merriam and Louis Champa, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Walsh and Moriarty. Whole number of ballots cast 9, yeas 0, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.11 o'clock p. m., on motion of Coun. MORIARTY, to meet on Monday, June 26, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, June 20, 1922.

Special meeting of the City Council, held at one o'clock p. m., for the purpose of drawing jurors (in accordance with the provisions of the law), the Mayor not being present, President BRICKLEY in the chair and a quorum present, viz.:

Twenty-two grand jurors, Superior Criminal Court, to appear July 3, 1922;

Tony P. Montiero, Ward 2; Henry I. Parks, Ward 3; Francis D. Bowen, Ward 6; Andrew L. Hansen, Ward 7; James W. McLaughlin, Ward 8; Frank W. Robbins, Ward 8; Joseph R. Walker, Ward 8; William F. Ashton, Ward 10; Cornelius S. Wool, Ward 10; Joseph Perkins, Ward 13; Samuel Henderson, Ward 14; Daniel J. Keane, Ward 14; Adolph Wexler, Ward 14; James M. Carey, Ward 15; Hugo G. Gumprich, Ward 15; Alexander B. Douglass, Ward 18; Winthrop Hallett, Ward 19; Edward F. Silk, Ward 20;

John Regan, Ward 21; William G. Russell, Ward 22; Roscoe J. Sherman, Ward 24; Daniel J. Walsh, Ward 24.

Forty traverse jurors, Superior Criminal Court, to appear July 5, 1922:

Seymour Coffin, Ward 1; John J. Barrett, Ward 2; Alpheus E. Tuttle, Ward 2; Thomas Scanlon, Ward 4; Dominick Fralli, Ward 5; William F. Griffin, Ward 5; Nathan Kandel, Ward 5; Frederick B. Foye, Ward 6; Thomas H. Goodwin, Ward 8; Thomas E. O'Donnell, Ward 9; Frank E. Willcutt, Ward 9; Thomas F. Gormley, Ward 10; Albert Jones, Ward 10; Edgar B. Laurance, Ward 10; Harrison P. Webber, Ward 10; Arnold Blair, Ward 11; Francis P. Byrne, Ward 11; Michael Finn, Ward 11; William H. Reardon, Ward 11; William H. Devanney, Ward 12; Abraham Bieringer, Ward 13; Freeman Johnson, Ward 13; Henry W. Bird, Ward 14; George C. Glocker, Ward 15; James J. Dwyer, Ward 16; Augustus Mooney, Ward 16; Jacob Fredman, Ward 17; Henry B. Hewett, Ward 17; Louis C. Schultz, Ward 17; John J. Galvin, Ward 18; James H. McCormack, Ward 18; Louis L. Schlesinger, Ward 18; George H. French, Ward 17; Julius N. Shultz, Ward 19; George H. Goodsell, Ward 20; William P. O'Brien, Ward 20; Miles McGarty, Ward 21; Charles L. Helmboldt, Ward 22; Linwood J. Collar, Ward 25; James M. Wade, Ward 25.

Adjourned at 1.20 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, June 26, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Hagan.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,

Office of the Mayor, June 26, 1922.

Gentlemen,—Subject to confirmation by your honorable body, I hereby make the following appointments for the term ending April 30, 1923:

To be Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery, Weighers of Beef and Weighers of Goods: John J. Clark, 14 Tufts street, Somerville; John P. Coakley, 305 Montvale street, East Woburn; John E. Doherty, 103 Washington street, Charlestown; J. Edward Donegan, 29 Alpine street, Somerville; Grant Dunn, 28 Wicklow avenue; Somerville; William E. Gerrish, 3 Grove street, Greenwood; Ernest C. Good, 440 Eastern avenue, Lynn; Irving A. Gould, 32 Chester street, Melrose; George F. Griffin, 327 K street, South Boston; Ralph Johnson, 3 Ripley street, Malden; Martin J. Kearns, 63 Marion street, Medford; William J. Leonard, 104 Pleasant street, Dorchester; William G. Miller, 121 Main street, Everett; James Murphy, 50 Monument street, Charlestown; Michael J. McCann, 75 Plain street, Lowell; Justin McCarthy, 44 Harvard street, Charlestown; Walter C. Ripley, 17 Capen street, Medford; George D. Secor, 345 Lincoln street, Cliftondale; Frederick R. Segee, 20 Magnolia street, Dorchester; Allan Wright, 118 Russell street, Charlestown.

To be Weighers of Coal, Weighers of Boilers and Heavy Machinery, and Weighers of Beef: Florence Donovan, 17 Medford street, Charlestown; Frederick P. Wood, 9 Barret street, Malden.

To be Weighers of Boilers and Heavy Machinery and Weighers of Beef: Patrick Broderick, 29 Carney street, Charlestown; Joseph F. Clark, 23 Pearl street, Medford; Frederick A. Crothers, 17 Chardon road, Medford; Oscar W. Devery, 26 Alhion place, Charlestown; Mark R. Eisenhour, 184 Fellsway, Medford; John Galloway, 78 Medford street, Charlestown; Charles H. Harris, 11 Avalon street, Revere; Richard Hein, 89 Blossom street, Chelsea; James H. May, 5 Hesston terrace, Dorchester; Horace F. Patterson, 14A Sacramento street, Cambridge; Eugene Sheridan, 133 Fennos street, Revere; Philip H. Sheridan, 70 Alder street, Waltham.

To be Weighers of Beef: George W. Keith, 93 Capen street, Medford; Michael Collins, 16 Seminary street, Charlestown.

To be Measurers of Grain and Inspectors of Pressed or Bundled Hay and Straw: Harry B. Wood, 41 Walnut park, Roxbury; Arthur J. Duffy, 673 Saratoga street, East Boston.

To be Weigher of Goods: Lawrence Champa, 34 Edward street, Medford.

Respectfully,

JAMES M. CURLEY, Mayor.

Laid over, under the law.

The following was received:

City of Boston,

Office of the Mayor, June 26, 1922.

To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint Louis T.

Nisco, 27 Wordsworth street, East Boston, to the position of Constable of the City of Boston for the term ending April 30, 1923.

Respectfully,

JAMES M. CURLEY, Mayor.

Laid over, under the law.

WATER MAIN, COTTAGE ROAD.

The following was received:

City of Boston,

Office of the Mayor, June 26, 1922.

To the City Council:

Gentlemen,—I transmit herewith report received from the Commissioner of Public Works in reply to the order passed by your honorable body on May 15, 1922, relative to the placing of a water main on Cottage road, West Roxbury.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Public Works Department, June 20, 1922.

To the Honorable the Mayor:

Cottage road is one of a number of streets 15 feet in width located in West Roxbury, in the territory bounded, roughly, by Stimson street, Washington street, Grove street and Centre street, which has been developed by the Securities Real Estate Trust and subdivided into comparatively small lots on which there are approximately 200 houses varying from a small shack to a comfortable dwelling. The streets are all in very rough condition, full of holes and hillocks, only partly defined and with rock very abundant throughout the territory.

The water supply consists of only small steel pipes provided either by the landowners or by the private owners. It is entirely inadequate for service and hopelessly so for fire purposes. There is no sewerage system in the territory.

There are two other districts similarly situated as regards these conditions in other parts of West Roxbury, and the question of providing a suitable water supply has come up quite frequently in the past few years, the owners claiming that inasmuch as permits to build are granted by the city, and taxes are collected, they should be provided with sufficient water supply; and the position taken by the Public Works Department to date is that these streets have absolutely no standing—no plans showing lines and grades having been approved by the Board of Street Commissioners, and that to comply with their requests would be illegal and a violation of section 10 of chapter 393 of the Acts of 1906, which is as follows:

"After the passage of this act no person or corporation shall prepare or open for public travel in the city of Boston any way, unless its location, direction, width and grades are satisfactory to and have been approved in writing by said board of street commissioners, but all highways in the territory shown on any plan heretofore made by the board or survey or by said street commissioners under the authority of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, shall be in accordance with the location, direction, width and grades shown thereon; and no public sewer, drain, water pipe or lamp shall be placed in, or public work of any kind done on, any way in any such territory other than in or on the ways shown on the plan or plans of such territory; provided, however, that this provision shall not prevent the laying of a trunk sewer or water or gas main as engineering demands shall require."

Undoubtedly, purchasers of this land for building purposes had been promised that the city would provide an adequate water supply and possibly a system of sewerage works, and they probably purchased the land in good faith that the city would carry out this program. It is suggested, however, in

order to discourage future sales, that the question be taken up with the Law Department of the possibility of having large billboard signs placed at strategic points on the outskirts of this area calling attention to the fact that the city could not provide these conveniences until the streets were laid out, in width and location, as approved by the Board of Street Commissioners; otherwise the city authorities must continue to be placed in a very false position as regards a proper water supply for sanitary and fire purposes.

A 15-foot street should not be tolerated. It only serves the purpose of providing a larger number of lots within a given area to the advantage of the land-developing company in their sale and to the utter disregard of a proper lay-out for civic purposes.

It might be well to refer this whole matter to the Law Department for a final opinion of the city's obligations towards this area and the possibility of preventing further building until roadways accepted in accordance with the Street Commissioners' lay-out are provided.

Yours respectfully,
JOSEPH A. ROURKE,
Commissioner of Public Works.

Placed on file.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1922.
To the City Council:

Gentlemen,—I transmit herewith various requests for transfers within department appropriations and respectfully request the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$222.04, to the appropriation for Municipal Court, Dorchester District, A-2. Temporary Employees, Clerical Assistance, \$222.04.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Municipal Court, Dorchester district:

From the appropriation for F-7, Pensions and Annuities, \$517.46, to the appropriation for A-1, Permanent Employees, Probation Officer, 1 at \$2,200 (\$2,500) per year, \$325; A-2, Temporary Employees, Probation Officer, 1 at \$7.24 (\$8.22) per day, \$29.40; Assistant Clerk, 1 at \$8.51 per day, \$85.10; Clerical assistance, \$77.96.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriation for Hospital Department:

From the appropriation for A-1, Permanent Employees, Undergraduate Nurses, 190 at \$8.33 to \$16.67 per month, \$4,300, to the appropriation for A-1, Permanent Employees, Hospital Employees, Class C, not exceeding \$12 per week, 210 (230), \$4,300.

Referred to the Executive Committee.

VETO MT. LEBANON CEMETERY

.... PERMIT.

The following was received:

City of Boston,
Office of the Mayor, June 19, 1922.
To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order passed by

your honorable body on June 5, 1922, providing for the granting of a permit to the Mt. Lebanon Cemetery Association for the use of land on Baker street for burial purposes.

I appreciate that the Council acted fully within its rights in suspending the rules upon the question of the acceptance or rejection of this order, but I, nevertheless, cannot overlook the fact that there are certain extremely objectionable features connected with the establishment of a cemetery.

The persons having homes in the section where it is proposed that this cemetery shall be established have, in most cases, invested the savings of a lifetime in the creation of those homes and any law or order adopted by the government that might tend to impair the value of this lifetime investment should, in common decency, only be approved after a public hearing has been held at which owners of realty who might desire to protest be afforded an opportunity.

Respectfully,
JAMES M. CURLEY, Mayor.

Placed on file.

MONEY FOR HIGH SERVICE MAIN.

The following was received:

City of Boston,
Office of the Mayor, June 26, 1922.
To the Gentlemen of the City Council:

I am in receipt of the inclosed communication from the Commissioner of Public Works who informs me that the sum of \$45,000 is necessary for the laying of high service water main in South street, High street, Oliver street, Milk street and McKinley square and that the amount at present available is but \$21,000.

I accordingly recommend adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department, June 26, 1922.
To the Honorable the Mayor:

The 24-inch high service water main should be completed from Kneeland street to State street. To do this pipes will have to be laid in South street, High street, Oliver street, Milk street and McKinley square. \$29,000 will be required. This amount is not available in the budget of the Water Division.

When the budget was being prepared, \$45,000 was recommended to cover this work; only \$21,000 was allowed. This latter amount is sufficient only to lay approximately 2,000 feet of pipe in South street and partly through High street. Comparatively little benefit will result from this work, as only one connection with the high service distribution system, at Federal street, can be made. On the other hand, if the work is continued to State street four connections will be made—at Federal, Oliver, Milk and State streets, greatly increasing the fire protection.

It is respectfully recommended that a transfer of \$29,000 from Water Revenue be made to the item F-12, contracts for construction.

Yours respectfully,
JOSEPH A. ROURKE,
Commissioner of Public Works.

Ordered, That to meet the current expenses payable during the financial year, beginning with the first day of February, 1922, the sum of \$29,000 be and the same hereby is appropriated from the income of Water Service, Public Works Department, as follows:
F-12, Special Items, New Mains, \$29,000.
Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees referred, viz.:

Claims.

William I. Bearse, for compensation for damage to automobile by a defect in Hyde Park avenue.

James W. Evans, for compensation for damage to automobile by an unguarded trench in Washington street, near Oak square.

M. L. McGrath, for compensation for damage to cellar by sewer flooding on June 1, 18, 21, 1922.

Henry I. Lazarus, for compensation for damage to automobile by a defect in Tremont street.

Mary E. Lennon, for compensation for damages at 53 Neponset avenue by surface water in basement.

Bernard F. Mullen, for compensation for damage to automobile by city ambulance 10.

Christopher Waldman, for compensation for damage to house on Bexley road by a contractor constructing a sewer at the Roslindale branch of Stony brook.

John A. Whittemore's Sons, for compensation for damage to truck by fire apparatus.

Charlotte Bragg, for compensation for injuries received from a fall on the Franklin street side of estate 88 Broad street.

John A. Butler, for compensation for damage to automobile by fire apparatus.

Florence Fash, for compensation for injuries caused by a depression in highway at 40 North street.

George T. Horan, for refund of \$15 on bill for paving, etc., at 5 Braemore road, where no paving was done.

Mr. Kolodny, for compensation for damage by a leak at 41 Endicott street.

William J. McDonald, for refund of fee paid for poolroom license, never used, at 146 South street, Jamaica Plain.

Helena McManus, for compensation for injuries caused by a defect in highway at 6 Belgrade street.

Victor Shaparo, for compensation for damage to automobile by a city team.

John H. Sherburne, receiver, for compensation for damages at 74 Heath street by the bursting of a water main.

Harry Slotnick, for compensation for injuries received March 6, 1922, on ferryboat "Ralph J. Palumbo."

Standard Saw and Tool Manufacturing Company, Inc., for refund of portion of excessive tax paid in 1920 and 1921.

Executive.

New England Loan Company, for permit to sell, rent or lease firearms at 38 Warren street.

Mary F. Dowd for permit for children under fifteen years of age to appear at Steinert Hall, June 29, 1922.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Patrick M. Donahoe, Francis J. Tobin.

Approved by the City Council.

CONFIRMATION OF APPOINTMENTS.

Notices were received from the Civil Service Commission of approval of the following appointments by the Mayor, viz.:

John Harleston Parker, Art Commissioner.

Guy W. Currier, Library Trustee.

Joseph F. Feeney, Overseer of Public Welfare.

Placed on file.

NOTICES OF APPOINTMENTS.

Notice was received from the Health Department of appointment of Francis E. Heedy as a gas fixture inspector.

Notice was received from the Health Department of the appointment of the following inspectors, viz.: David R. MacSwain, John C. Clougherty, James M. Murphy, William F. Brown, Walter V. Campbell, Wilfred J. Gaudreau, John M. Sullivan.

Placed on file.

NOTICES OF HEARING.

Two notices were received from the Street Commissioners of hearings on July 3 and 10, respectively, on petitions for the storage and sale of gasolene.

Placed on file.

CHANGES IN TRAFFIC REGULATIONS.

Notices were received from the Board of Street Commissioners of the following changes in traffic rules, viz.:

That portion of State street, center, indicated by white lines painted on the roadway to be established as parking space where vehicles may stand for not more than one hour between 9 a. m. and 6 p. m., said vehicles to stand at right angles to the curb. No exchange of goods or merchandise allowed. No vehicle shall stand at the curb on either side of State street, between McKinley square and Atlantic avenue, between 9 a. m. and 6 p. m. except to let off or take on passengers or to receive or to deliver merchandise.

One way street to vehicular traffic Devonshire street, from Dock square to State street, southerly.

Revocation of regulation establishing Essex street, between Chauncy and Washington streets, as a one way street.

One way street, Kingston street, from Summer street to Beach street, southerly.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Department of Public Utilities of hearing on June 26, at 10.30 a. m., on petition of Boston Elevated Railway Company for establishment of inclosed area, etc., taking of land and granting of locations in streets in Brighton.

Placed on file.

RAILWAY LOCATION.

A copy of an order was received from the Street Commissioners granting the Eastern Massachusetts Street Railway Company a single track location on South street, Belgrade avenue and Corinth street (9th location).

Placed on file.

NOTICES OF CONTRACTS.

Notices were received in accordance with law of interest in the following contracts, viz.:

Joseph F. Feeney, Overseer of the Public Welfare.

Joseph P. Manning (two), Trustee of the City Hospital.

Placed on file.

SIDEWALK SCHEDULE.

A communication was received from the Commissioner of Public Works as to cost of constructing sidewalk on South street, Ward 22, amounting to \$5,796.43 to the abutters—and recommending the passage of the following:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sums set against their re-

spective names as their proportionate parts of the cost of constructing sidewalks in front of their estates on South street, as specified above, and the same is ordered to be certified and notice given to the parties as aforesaid.

The order was passed.

CLERK HIRE.

A communication was received from the Register of Deeds, in accordance with the provisions of law, certifying that certain persons had been employed in his office and work had been done from May 22 to June 26 to the amount of \$8,843.80.

Approved and ordered paid by the City Council.

PROTEST AGAINST TRANSFER STATION, ALLSTON.

Coun. WALSH offered the following:

Resolved, That the City Council of Boston hereby strenuously protests to the Board of Public Utilities of the State of Massachusetts against the establishing of a transfer station at Linden street, Allston, by the Boston Elevated Railway Company.

Ordered, That the City Clerk of Boston be requested to send a copy of this preamble and order to the Board of Public Utilities of the State of Massachusetts.

Passed, under a suspension of the rule.

JULY THIRD FOR CITY EMPLOYEES.

President BRICKLEY offered an order—That his Honor the Mayor be requested to direct the heads of departments to allow a day off, without loss of pay, to all city employees whose services can be dispensed with on July 3, Monday, the day preceding the Anniversary of Independence.

Passed, under a suspension of the rule.

PLAYGROUND, FOREST HILLS.

President BRICKLEY offered an order—That his Honor the Mayor be requested to consider and report to the City Council as to his judgment on the establishment of a playground at or in the Forest Hills district.

Passed, under a suspension of the rule.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of June, 1922.

Report accepted; order passed.

PAYMENT TO LENA McSHANE.

Coun. GILBODY offered an order—That chapter 528 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to Pay a Sum of Money to the Sister of the late Daniel J. McShane"—be and the same hereby is accepted.

Referred to the Executive Committee.

Coun. GILBODY offered an order—That in accordance with the provisions of chapter 528 of the Acts of 1922 there be allowed and paid to Lena McShane, sister of Daniel J. McShane, a police officer of the City of Boston who was killed in the performance of his duty, the sum of three thousand dollars in weekly payments of fifteen dollars each,—the sum so paid to be charged to the Reserve Fund.

Referred to the Executive Committee.

WILLIAM C. JONES SQUARE.

Coun. GILBODY offered an order—That the junction of Greenwich, Clayton and Freeport streets be named William C. Jones square in memory of said Jones, who lost his life in the service of the United States during the World War, and that suitable signs be erected at said location.

Passed under a suspension of the rule.

GAVIN R. McIVER SQUARE.

Coun. GILBODY offered an order—That the crossings at Blue Hill avenue and River street, Mattapan, now the so-called Mattapan square, be named Gavin R. McIver square, in memory of said McIver, who lost his life in the United States service during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

RELIEF STATION, DORCHESTER.

Coun. GILBODY offered an order—That the Board of Trustees of the City Hospital be requested, through his Honor the Mayor, to report to the City Council, at its earliest convenience, the advisability and expense of establishing a relief station for the Dorchester district.

Passed under a suspension of the rule.

REPLACING OF ELEVATED STRUCTURES.

Coun. DONOGHUE offered the following: Resolved, That his Honor the Mayor request the Trustees of the Boston Elevated Railway Company to consider the advisability of replacing the present elevated structures in Scollay square and Adams square with more modern structures.

Passed under a suspension of the rule.

LIGHTING OF FREDERICK K. EMMONS PLAYGROUND.

Coun. DONOGHUE offered an order—That the Board of Park and Recreation Commissioners be requested, through his Honor the Mayor, to cause the Frederick K. Emmons Playground, Charlestown, to be properly lighted.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted, at 2.45 o'clock p. m., on motion of Coun. FORD, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.02 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Mary F. Dowd (referred today) for permit for children under fifteen years of age to appear at various places of amusement—that permit be granted.

Report accepted; permit granted on the usual conditions.

2. Report on message of Mayor and orders (referred today) for various transfers—that the orders ought to pass.

Report accepted; orders passed, yeas 6, nays 0, Coun. Brickley, Donoghue, Ford, Gilbody, Walsh and Watson voting yea.

3. Report on communication from the Street Commissioners on hearings for leave to store and keep for sale gasolene, etc.—that the same be placed on file.

Report accepted; communications placed on file.

4. Report on message of Mayor and order (referred today) for appropriation of \$29,000 for new mains—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

SIDEWALK ORDERS.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Prospect avenue, from Brown avenue to Sycamore street, Ward 23, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along the southerly side of Mt. Pleasant avenue, from Blue Hill avenue to Fairland street, Ward 12, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed, under a suspension of the rule.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along the northerly side of Northampton street, from Harrison avenue 525 feet easterly, at the property of the Boston City Hospital, Ward 12, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed, under a suspension of the rule.

ITINERANT VENDORS' LICENSES.

Coun. LANE offered the following:

City of Boston.

In the year Nineteen Hundred and Twenty-Two. An Ordinance Concerning Itinerant Vendors' Licenses.

Be it ordained by the City Council of Boston, as follows:

TRANSIENT VENDORS' LICENSES.

Section 1. Every transient vendor, whether principal or agent, authorized by state license to do business in this commonwealth, before making any sales of goods, wares and merchandise in the city of Boston, shall make application for local license to the city clerk, stating the names, residences and places of business of the owners or parties in whose interests said business is conducted.

Sect. 2. Upon the payment of a fee of \$100 the city clerk shall issue to the transient vendor a license authorizing the sale of such goods, wares and merchandise within the city of Boston. Such licenses shall remain in force so long as the licensee shall continuously keep and expose for sale in the city of Boston such stock of goods, wares and merchandise, but not later than the first day of April following its date of issuance.

Sect. 3. Every transient vendor who is granted a license under the provisions of this ordinance shall exhibit the same at all times, while in force, in some conspicuous part of the place of business for which it is issued.

Sect. 4. The term "transient vendor" for the purposes of this ordinance shall be the

same as defined in sections 1 and 2 of chapter 101 of the General Laws of Massachusetts, as amended by chapter 2 of the General Acts of 1920 and chapter 106 of the General Acts of 1921, and shall include any person, either principal or agent, who engages in a temporary or transient business in this city, either in one locality or in traveling from place to place, selling goods, wares or merchandise. "Temporary or transient business" for the purposes of this ordinance shall mean and include any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least ten months in each year. The provisions of this ordinance, however, shall not apply to sales by commercial travelers or by selling agents to dealers in the usual course of business, or to *bona fide* sales of goods, wares or merchandise by any person, whether principal or agent, who engages in the temporary or transient business within the city, and who has paid taxes upon his stock in trade during the current year, or to hawkers and pedlers as defined by the laws of this commonwealth and the ordinances of the city of Boston.

Sect. 5. Any person, association or corporation who shall engage in the business of a transient vendor, as herein defined, without having secured a license for that purpose as provided in this ordinance, or who, having secured such license, shall thereafter fail to pay the sum provided herein, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than \$5 nor more than \$20 for each day during which such goods, wares or merchandise are kept or exposed for sale.

Chapter 2 of the Ordinances of 1920 are hereby repealed.

Referred to the Committee on Ordinances.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up Nos. 1 to 4, inclusive, unfinished business, viz.:

Action on appointments submitted by the Mayor June 12, 1922, viz.:

1. Leslie S. Kinsman, to be a Weigher of Coal.

2. Donald Lincoln, to be a Weigher of Beef.

3. Louis F. White, to be a Weigher of Goods and a Gauger of Liquid Measures.

4. John L. O'Leary, to be a Weigher of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

ERECTION AND COMPLETION OF STATION NO. 2.

President BRICKLEY called up No. 5, unfinished business, viz.:

5. Ordered, That the sum of \$500,000 be appropriated, to be expended by the Superintendent of Public Buildings, for the erection and completion of a new building for Police Station 2, and that the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness to said amount.

On June 12, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was read a second time, and the question came on its passage.

Coun. DONOGHUE—Mr. President, I desire to make a statement in regard to my vote for this order. I voted consistently, with some other members of this Council or the previous Council, against locating the new police station down at the foot of Milk and Sears streets, and I voted so until the very end. But finally the order was passed by the previous Council by six votes to three. Since that time we have seen considerable in the newspapers relative to keeping this Police Station No. 2 on the site that it now occupies,

and the business interests, if we are to believe what we read in the papers, are very much opposed to having this station located down at the foot of Milk and Scars streets. But I fail to remember, when the controversy over the taking of the site was at its height, where any of the so-called business interests now so very much interested for their own protection in keeping this police station nearer to the center of activities in this particular district, even opened their mouths in favor of the site which the city owned on Hawley street. I favored the building of the police station on Hawley street, as did some of my colleagues, and I believe it would be a more desirable location than that finally selected. I believe so now. I believe that the police station should be located nearer to the heart of the business district, so called, within the confines of Station 2. However, this matter of a police station has dragged along for a matter of two or three years, and the voice of the so-called business interests was silent at the time when their support would have meant something to those of us in the Council who were opposed to the site finally selected. Had they then come to the support of those councillors, we might have succeeded in defeating the proposition to locate the police station down at the corner of Milk and Sears streets. However, now that the present site has been selected and the old vote with regard to the Hawley street site has been rescinded, I am now going to vote to build this station. I am not going to be a party to holding up the building of the station any longer, because I believe the policemen of that district are entitled to adequate quarters and to a real building in which to live. While I do not believe it is the best location possible, still, in view of the fact that the city has purchased the site, and also in view of the fact that practically everyone now interested in having the station placed in some other location was previously silent, although now coming to the front and saying that Milk and Scars streets is not the proper location, I think that they are too late in their criticism, and I am going to vote for the order after this statement.

Coun. MORIARTY—Mr. President, I, too, desire to say a word. I did not intend to say anything until Coun. Donoghue spoke. I have the history of the whole situation very well in mind. The *Boston Post*, has had more or less to say in regard to the matter in the last two months. It has had one editorial and two news stories supposed to come from the business men of the district. But I remember that some two years ago this same *Boston Post* called the four members who voted against it "the wilful four," because of their voting against Station 2. The fact is, simply, that if you tried to follow the newspapers in some of these matters you would have to be as crooked as a corkscrew to keep in step with them. One minute they are with a proposition and the next minute they are ducking behind the past and trying to be against it. Inasmuch as the *Post* has been the only paper that has interested itself in the matter particularly in the two years, I feel that I don't want to take any notice at the

present time of any of the other papers. I am still going to vote against Station 2, maintaining my position of more than two years.

The order was given its second reading and passage, yeas 7, nays 1.

Yeas—Coun. Brickley, Donoghue, Ford, Gilbody, Lane, Walsh, Watson—7.

Nays—Coun. Moriarty—1.

GENERAL RECONSIDERATION.

Coun. WATSON moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Coun. LANE—Mr. President, I move that when we adjourn it be to meet a month from today, at two o'clock p. m.

Coun. DONOGHUE—Mr. President, while a motion to adjourn is not debatable, I feel that I should be allowed to say just a word at this time. I think we will be establishing rather a dangerous precedent in adjourning for a month, because it is generally understood that we will meet once a week, on Monday afternoon. There are many matters continually coming up that should be acted upon, and I think that if we adjourn for a month that in all likelihood something will arise between now and the time to which we adjourn which might necessitate a special meeting if there was to be no regular meeting. I think we should not adjourn for more than two weeks; that in that way we will be better able to handle the city business efficiently. If we adjourn now for two weeks, and then come into session and find that there is not much business to transact, we can then adjourn over again whereas if we don't meet for a month, undoubtedly we will have to be called into special session before that time.

Coun. LANE—Mr. President, this is not without precedent. Since I have been a member there have been times when we have adjourned for a month, and I think once for six weeks. As a matter of fact, if anything comes up in the meantime that requires action we can be called in special session. That has been done in the past, and can always be done when necessary. The Mayor can call us together if anything important comes up, and if one of our members makes the request of the President, the President can call a meeting. I know of nothing important that will probably come before us in the immediate future and, as I say, if there is anything that requires action we can have a special meeting. I certainly think it will do no harm to the interests of the city if we adjourn for one month at this time.

Coun. Lane's motion, that when the Council adjourns it be to meet on Monday, July 24, at two o'clock p. m., was carried.

Adjourned at 4.30 o'clock p. m., on motion of Coun. WALSH, to meet on Monday, July 24, at two o'clock p. m., subject to the call of the President.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, July 11, 1922.

Special meeting of the City Council, held in the President's Room, City Hall, at two o'clock p. m., President Brickley in the chair, Absent—Coun. Gilbody and Moriarty.

The City Clerk read the call for the meeting, as follows:

Dear Sir,—A special meeting of the City Council has been called for Tuesday, July 11, 1922, at two p. m., for the purpose of considering a loan order for Province street, and such other matters as may properly come before your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

Placed on file.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

One hundred thirty-five traverse jurors, Superior Criminal Court, Third Session, to appear July 24, 1922:

Harold R. Brown, Ward 1; Harry L. Buswell, Ward 1; Paul Giambarba, Ward 1; Robert W. Gunn, Ward 1; Manuel C. Ferry, Ward 2; Patrick Lawler, Ward 2; Jeremiah D. Moynihan, Ward 2; William O. A. McLaughlin, Ward 3; John Sullivan, Ward 3; Patrick Driscoll, Ward 4; Henry A. Taft, Ward 4; Michael F. Campbell, Ward 5; Nicholas Cuneo, Ward 5; Patrick F. Heffernan, Ward 5; Max Berlin, Ward 6; Morris H. Cropper, Ward 6; Frank J. Dooley, Ward 6; Joseph A. Hadge, Ward 6; John F. Sheehan, Ward 6; Robert B. Yunker, Ward 6; Charles H. Lindsey, Ward 7; Charles Pease, Ward 7; Ernest A. Rickenberg, Ward 7; Edward M. Rogers, Ward 7; Percival F. Brine, Ward 8; Horace S. Bean, Ward 8; James A. Burke, Ward 8; Patrick Desmond, Ward 8; John Hart, Ward 8; Thomas H. Mahoney, Ward 8; Thomas F. McCarthy, Ward 8; John McCall Pettis, Ward 8; Eliot Wadsworth, Ward 8; James Whitford, Ward 8; Charles E. Duffey, Ward 9; Frederick A. Esano, Ward 9; John L. Moynihan, Ward 9; James S. Quigley, Ward 9; Thomas Ross, Ward 9; Thomas M. Finnegan, Ward 10; Thomas J. Hardy, Jr., Ward 10; John J. Heffernan, Ward 10; Jeremiah F. Driscoll, Ward 11; Richard E. Dwyer, Ward 11; John Kenny, Ward 11; John D. McFadden, Ward 11; John J. O'Neill, Ward 11; James J. Ready, Ward 11; John A. Saunders, Ward 11; Joseph A. Williamson, Ward 11; James S. Dean, Ward 12; Thomas H. Cahill, Jr., Ward 12; William H. Doyle, Ward 12; Joseph H. McCarthy, Ward 12; Frank Casneau, Ward 13; John H. Coleman, Ward 13; Wallace A. Cook, Ward 13; John Mahoney, Ward 13; Andrew J. McNally, Ward 13; John F. Silvey, Ward 13; Cornelius G. Ahern, Ward 14; Richard F. Cahill, Ward 14; Joseph A. Callahan, Ward 14; Patrick J. Cronin, Ward 14; William F. Kelley, Ward 14; Francis J. Shea, Ward 14; Frederick R. White, Ward 14; Thomas J. Collins, Ward 15; Louis H. Holland, Ward 15; William J. Morgan, Ward 15; Joseph J. Billington, Ward 16; Chester F. Collier, Ward 16; James H. Fay, Ward 16; Walter L. Pearce, Ward 16; Abraham Todtman, Ward 16; Francis E. Buckley, Ward 17; David J. Cole, Ward 17; Demeron L. Dean, Jr., Ward 17; Edmund F. Elliott, Ward 17; James F. Fitzgerald, Ward 17; Eugene J. Haney, Ward 17; Joseph M. Kirby, Ward 17; Willard L. Lathrop, Ward 17; David Norton, Ward 17; Coleman M. Riley, Ward 17; David Roazan, Ward 17; Ernest M. Skinner, Ward 17; Samuel J. Tomasello, Ward 17; Frederick R.

Walsh, Ward 17; Charles S. Billings, Ward 18; George W. Brooks, Ward 18; James L. Cronin, Ward 18; Edward J. Falvin, Ward 18; Patrick Peter Gately, Ward 18; Roderick McInnis, Ward 18; Arthur M. Bellamy, Ward 19; Hyman Fryhon, Ward 19; George Goldberg, Ward 19; Benjamin C. Gouleston, Ward 19; Ruben Goren, Ward 19; Horace M. Knight, Ward 19; Lewis N. Lewenstein, Ward 19; Bernard J. Louis, Ward 19; Samuel Schiff, Ward 19; John J. Allman, Ward 20; Frank W. Clark, Ward 20; Harry E. Lord, Ward 20; James F. McGovern, Ward 20; Henry G. Thurston, Ward 20; Philip Holt Tuksbury, Ward 20; Jacob Finkelstien, Ward 21; Louis Hanapolsky, Ward 21; Joseph F. Keefe, Ward 21; Benjamin Kelman, Ward 21; William A. Weisse, Ward 21; Otto A. Gerner, Ward 22; Jacob P. H. Hamblin, Ward 22; Andrew Lawson, Ward 22; Thomas F. Minton, Ward 22; John P. Murphy, Ward 22; Daniel Schreck, Ward 22; Alvah N. Carle, Ward 23; Henry A. Cassidy, Ward 23; Francis M. Hebb, Ward 23; William Baldwin, Ward 24; John Ford, Ward 24; Adam Herr, Ward 24; Charles Houle, Ward 24; Frederick L. Lynch, Ward 24; John T. H. Senger, Ward 24; Benjamin B. Bergman, Ward 25; George E. Crosby, Ward 25; Ernest F. Munday, Ward 25; William J. Stober, Ward 25; John J. Ryan, Ward 26.

REMOVAL OF RESTRICTIONS, SOUTH END.

The following was received:

City of Boston,

Office of the Mayor, July 11, 1922.

To the City Council:

Gentlemen,—The South End section of Boston has changed so materially in the last twenty-five years that there is apparently no longer equitable reason for maintaining restrictions relative to the set back of this business.

I accordingly recommend the adoption of the accompanying order.

Sincerely yours,

JAMES M. CURLEY, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized to execute on behalf of the city, so far as he may lawfully do so without affecting the legal or equitable rights of others holding title under it, an instrument satisfactory to the Law Department, releasing the conditions in the words following:

"The front line of the building which may be erected on the said lot shall be placed on a line parallel with and ten feet back from the said Washington street. The building which may be erected on the said lot shall be of a width not less than eighteen feet. No dwelling house or other building except necessary outbuildings shall be erected or placed on the rear of the said lot except as hereinafter mentioned. No building which may be erected on the said lot shall be less than three stories in height exclusive of the basement and attic, nor have exterior walls of any other material than brick, stone or iron, nor to be used or occupied for any other purpose, or in any other way than as a dwelling house for the term of twenty years from the eleventh day of February, 1857. By the front line of the building above mentioned is meant the straight line thereof and it is understood that the swell front of the building erected upon said lot together with the steps thereof shall be allowed to project beyond said line. It is also agreed and understood that said Roberts and his assigns shall be allowed to erect a stable upon the rear of said lot for the private use of the occupants of the aforesaid building only; the exterior walls of which shall be of brick, stone or iron and the roof of which shall be slated or tinned. The above mentioned premises are to be conveyed subject to all the easements acquired therein by the proprietors of the adjoining lot fronting upon Washington street between the above adjoining lot fronting upon Washington street, between the above named premises and Northampton street. The

building erected on said lot is to be built in conformity to the requirements of the foregoing conditions."

Contained in a deed given by the City of Boston to Joseph D. Roberts, dated October 11, 1858, and recorded with Suffolk Deeds, Book 746, page 35, conveying to him an estate on the southeasterly side of Washington street, between Massachusetts avenue, formerly Chester square, and Northampton street, and now belonging to the Roxbury Trust Company.

Also ordered, That his Honor the Mayor be and he hereby is authorized to declare in said instrument that the city will not claim any forfeiture of any of the land described in said deed by reason of any breach of said conditions.

Referred to the Committee on Public Lands.

IMPROVEMENT OF CHELSEA STREET.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1922.
To the City Council:

Gentlemen,—The improvement of Chelsea street, Charlestown, has been under consideration for more than a quarter of a century and actual construction work has been in progress for a period of five years. The Public Works Department within the last six weeks has awarded a contract for the construction of the Chelsea Street Bridge representing an expenditure in excess of \$500,000 and which I have approved and upon which construction work is now in progress. It is essential that the widening and improvement of Chelsea street may be completed at the earliest possible date so that this artery of travel to the north may be available for public use.

I accordingly recommend the adoption of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$100,000 be and hereby is appropriated for highways, making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

PURCHASE OF LAND, BATH STREET.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1922.
To the City Council:

Gentlemen,—The Post Office Square Company are desirous of razing the block bounded by Congress, Kilby, Water and Milk streets, with the exception of the building located at the corner of Water and Congress streets.

It is essential that the passageway known as Bath street and containing an area of 1,766 feet, more or less, be discontinued in order that this building project, involving an expenditure in excess of three million dollars, may be consummated.

The Post Office Square Company in consideration of sale to them by the city of the 1,766 feet have agreed to deed back to the city a strip of land fronting on Congress street containing 200 feet, more or less, and have further agreed to pay for the land acquired by them, formerly known as Bath street, the sum of \$46,980.

I accordingly recommend the adoption of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Boston, July 5, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—The Post Office Square Company formed for the purpose has recently purchased

land at the corner of Milk and Bath streets, Boston, running back to Kilby street in the rear, this parcel being partly on Post Office square and partly in the rear of the Delta Building, which itself faces on Post Office square. The company is to begin construction of a high-grade eleven story office building on the premises so purchased, but feels that it would be of advantage to all concerned, including the city, if the company were to extend its operations so as to include within its new building the land now occupied by the Delta Building. This would obviously necessitate building across Bath street, which lies between the building originally contemplated by the company and the Delta Building. For this purpose it would be necessary that Bath street should be discontinued as a public street and that the Post Office Square Company should acquire title to the fee of Bath street. Following the company's conferences with the Street Commissioners, proceedings for this discontinuance have been begun.

It is planned that the Post Office Square Company, joined by the trustees of the Delta Building Association shall enter at once upon proceedings for registration of title to the fee of Bath street. It appears from such investigation as has already been made that Bath street is a very ancient way, dating back to 1654 or thereabouts, and the title to the fee of this street is consequently subject to some degree of uncertainty. It seems probable that the city has an interest in this fee, and may be the actual holder of the fee itself. Under the circumstances, in connection with the company's registration proceedings, the company would doubtless find it necessary to get a release from the city of any interest in this fee which the city may hold, this in addition to the discontinuance of the street as a public way.

In the conferences which the officers of the Post Office Square Company have heretofore held with the Street Commissioners, the Corporation Counsel and yourself, all the facts relating to the foregoing situation have been set out, and the matter is presumably understood by all. For the sake of clearness, however, a blueprint showing the location is inclosed herewith. This plan shows an area of 1,766 square feet lying within the lines of Bath street, over which area the discontinuance of the street is desired and in regard to which a deed of release from the city to the Post Office Square Company is also necessary. There may be offset against the area just mentioned a matter of about 200 square feet shown on the plan at the northerly end of the Delta Building, which 200-foot parcel is expected to be conveyed by the company to the city for street purposes, which would leave a net of about 1,566 square feet coming to the company. The suggestion for disposition of these matters by payment to the city of \$46,980 for the net amount of land above named seems to us a reasonable one.

It will be readily apparent that a proposition of the above magnitude involves a good many conditions which are difficult to meet, the company's proposed adjustment with the city being only one of a number of such matters. The company's plans for proceeding with the building originally contemplated are under way, and demolition of the former buildings has already been begun. Consequently, if the company is to undertake this larger project as above outlined, it will be necessary for it to proceed in the most expeditious manner possible in order that the engineers may learn at an early date whether or not their plans are to be altered. The company would therefore greatly appreciate it if the city's proceedings relative to the matters above referred to, could be instituted forthwith, while the company is itself engaged in endeavoring to dispose of other and similar questions, thus pushing forward to a completion a project which will add greatly to the taxable value of the city's real property and make use of land which is of little or no practical service to the community at present.

Anything you or other members of your administration could do to assist the company in

its plans would be warmly appreciated by all concerned. The company begs particularly to thank you for the time and consideration which you have already given to its project.

Yours very truly,
 POST OFFICE SQUARE COMPANY,
 GEORGE W. HARVEY, President.

Whereas, it is proposed that a portion of Bath street, containing an area of 1,766 feet, more or less, as shown on a plan hereto annexed, shall be discontinued;

Ordered, In the event of such discontinuance, that the Mayor, in the name and behalf of the city, is hereby authorized to release to the Post Office Square Company, its successors or assigns, by an instrument in writing, satisfactory to the Law Department, all right, title and interest which the City of Boston may have in the said land after the said portion of said street is discontinued, upon the payment to the city of the sum of forty-six thousand nine hundred and eighty dollars; and upon the further consideration that the Post Office Square Company shall, without compensation, convey or cause to be conveyed in fee to the City of Boston for street purposes, a strip of land containing two hundred feet, more or less, which is now located on the southeasterly corner of Post Office square and said Bath street, as shown on the above mentioned plan.

Referred to the Committee on Public Lands.

APPROPRIATION FOR PUBLIC WELFARE.

The following was received:

City of Boston,
 Office of the Mayor, July 11, 1922.
 To the City Council:

Gentlemen,—I am in receipt of the inclosed communication from the Overseers of the Public Welfare requesting additional appropriations in the sum of \$99,000 for Mothers' Aid and in the sum of \$235,000 for Care of Dependents.

It is possible that with the improvement in industry a less amount may be sufficient to meet the requirements of the Public Welfare Department for the remainder of the financial year, and I accordingly recommend the adoption of the accompanying order.

Respectfully,
 JAMES M. CURLEY, Mayor.
 City of Boston,
 Overseers of the Public Welfare,
 July 8, 1922.

Hon. James M. Curley,
 Mayor of Boston:
 Sir,—The following statement was read by Judge Frank Leveroni, chairman of the Committee on Finance and Accounts of the Overseers of the Public Welfare at a meeting held July 5, 1922, and it was voted to send a copy of the same to your Honor.

CARE OF DEPENDENTS.
 July 5, 1922.

Appropriation.....	\$350,000 00
Expended to July 1, 1922:	
Cash, five months.....	\$213,000 00
Bills, five months.....	52,548 31
	<u>270,548 31</u>
Balance available July 1, 1922.....	\$79,451 69

EXHIBIT OF EXPENDITURES UNDER THIS ITEM
 MARCH 1, 1921—JULY 1, 1922.

1921.	
March	\$28,761 47
April	36,250 65
May	32,713 18
June	30,271 36
July	31,152 18
August	31,470 75
September	32,799 26
October	30,113 83
November	35,530 16
December	35,164 20
1922.	
January	40,373 34
January 31	41,145 00

Special account	24,558 84
March	40,981 74
April	61,016 99
May	69,876 93
June	54,536 26
July	44,136 39

Total expenditures for the five months October 1, 1921, to January 31, 1922, were \$206,885.37; average per month, \$41,400.

Total expenditures for the five months March, 1922, to July, 1922, inclusive, were \$270,548.31; average per month, \$54,110.

Total expenditures for the seven months October, 1921, to April, 1922, were \$308,884.10; average per month, \$44,125.

Total expenditures for the twelve months August, 1921, to July, 1922, were \$541,703.69; average per month, \$45,340.

Examining the above, it is noted that expenditures began their critical up-grade movement in November, 1921, and continued steadily until the peak was reached May, 1922, when disbursements seem to have entered upon a descending movement of about the same momentum as on the ascent.

The average monthly expenditure for five months March to July, 1922.....	\$54,110 00
The average monthly expenditure for five months October 1, 1921, to January 31, 1922.....	41,400 00
The average monthly expenditure for seven months October, 1921, to April, 1922	44,125 00
The average monthly expenditure for twelve months August, 1921, to July, 1922	45,340 00

For guidance in estimating the probable expenditures for the coming months, the average of the first five months of the year, being the peak months of the upward movement, would be too high; the average of the last five months of 1921 would obviously be too low, including too many months of minimum expenditure. The average for the seven months, October, 1921, to April, 1922, giving the expenditure of the upward curve, and the average for the twelve months, August, 1921, to July, 1922, giving a twelve-months' movement, would appear to foretell approximately the average for the coming months, based always on the present improvement in economic conditions. Prolongation of the coal strike, the possibilities in the event of extended railroad strike, would increase the demands on the department. Taking the average for 7 months, \$44,125, \$308,875; taking the average for 12 months, \$45,340, \$317,380, it would appear that our needs for the balance of the year would be about \$310,000 to \$315,000, less balance available of \$79,000; equal amount needed \$230,000 to \$235,000.

MOTHERS' AID.

Appropriation	\$625,000 00
Expended to July 1, 1922:	
Cash, five months.....	\$292,000 00
Bills, five months.....	9,801 51
	<u>301,801 51</u>
Balance available	\$323,198 49

On basis of expenditures of past five months, we will need for the balance of the year:

Cash, seven months @	\$58,400	\$408,800 00
Bills, seven months @	\$1,960	13,720 00
		<u>\$422,520 00</u>
Balance available		323,198 49
		<u>\$99,321 51</u>

Under this item, cases being aided at least one year, expenditures are not affected much by numbers. The question is one of size of grants, and until some reduction is shown we cannot hope for decreased needs of approximately \$95,000 over the balance available for remainder of the year.

We therefore respectfully request that you will supplement our budget for Mothers' Aid to the amount of \$99,000, and for Care of Dependents to the amount of \$235,000.

Very truly yours,
 W. H. HARDY,
 Secretary.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year upon the City of Boston, or the departments or officers thereof, the respective sums of money specified in the tables hereinafter set forth be and the same are hereby appropriated to be expended for the objects and purposes hereinafter stated, that the same be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereon apply to the taxes herein provided for.

City of Boston.
Overseeing of the Public Welfare Department.
F. Special Items\$200,000
9. Care of dependents.....\$150,000
10. Mothers' aid 50,000
Referred to the Executive Committee.

EVENING REGISTRATION.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1922.
To the City Council:

Gentlemen,—It has been customary in the past to conduct outside evening registration for seven evenings prior to the state primaries and election, and it has been found that a hardship is imposed upon women desiring to become voters who are mothers and who find it impossible to be away from their homes during the evening.

For the convenience of those who desire an opportunity to register and that the fullest possible opportunity may be provided everyone who desires to exercise their franchise, I respectfully recommend the adoption of the accompanying order which will furnish seven daily sessions in the twenty-six wards of the city between the hours of 2 and 6 p. m.

Respectfully,
JAMES M. CURLEY, Mayor.

Board of Election Commissioners,
Boston, July 11, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—It has been deemed advisable to furnish further opportunity for the registration of voters, particularly for women, and in order to provide new day service for seven days, August 21 to August 28, 2 p. m. to 6 p. m., it becomes necessary to have provided additional funds by transfer from the Reserve Fund, as outlined below.

From the appropriation for Reserve Fund, \$1,988, to the appropriation for A-2, Assistant Registrars, 52 to 104, at \$5 per day, \$1,820. Janitors, 237, \$168.

Explanation: In order to provide janitor service in schoolhouses used for registration during the vacation period an additional charge of \$2 each day for the seven days in twelve schoolhouses makes up the sum of \$168.

Respectfully,
BOARD OF ELECTION COMMISSIONERS,
M. W. BURLIN, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$1,988, to the appropriation for Election Department, A-2, Temporary Employees, Assistant Registrars, 52 (104) at \$5 per day, \$1,820; Janitors, 237, \$168.

Referred to the Executive Committee.

MONEY FOR COMMITTEE ON AMERICANISM.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1922.
To the City Council:

Gentlemen,—The Committee for Americanism have submitted a request for an addi-

tional appropriation of \$5,000 to be expended in connection with the work of the department, and I accordingly recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$5,000 be and hereby is appropriated to be expended by the Boston Committee for Americanism, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

TRANSFER TO SOLDIERS' RELIEF.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1922.
To the City Council:

Gentlemen,—I am in receipt of the inclosed communication from the Soldiers' Relief Department requesting the transfer of \$940.74 from the Reserve Fund, and respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Soldiers' Relief Department, July 11, 1922.
Hon. James M. Curley,

Mayor of Boston:

Sir,—I respectfully request a transfer from the Reserve Fund of \$940.74 to provide for the employment of a male clerk at \$1,700 per annum, the same to date from Friday, July 14, 1922.

Respectfully,
JOHN H. DUNN,
Acting Soldiers' Relief Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$940.74, to the appropriation for Soldiers' Relief Department, clerk, 1 at \$1,700 per year, \$940.74.

Passed under suspension of the rule, yeas 7, nays 0.

EMPLOYMENT OF PATHOLOGIST.

The following was received:

City of Boston,
Office of the Mayor, July 11, 1922.
To the City Council:

Gentlemen,—I am in receipt of the inclosed communication from the trustees of the Boston Sanatorium, requesting a transfer within their department appropriation to provide for the employment of a pathologist, and respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston Sanatorium, July 1, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—The trustees wrote you June 16, 1922, in regard to the position of pathologist, for which no appropriation had been made this year. A letter from your secretary, Mr. Ward, dated June 21, 1922, states that you suggest that the necessary money be obtained by transferring from another item. The amount needed from July 1 to the end of the fiscal year is \$1,166.66. There is a balance available under A-1, Nurses at \$840 a year, which will more than cover this amount.

The trustees respectfully request that a transfer be made:

From the appropriation for A-1, permanent employees, nurses at \$840 a year, \$1,166.-

66 to the appropriation for A-1, Permanent Employees, Pathologist, at \$2,000 a year, \$1,166.66.

Yours respectfully,
 JAMES I. MINOT, Secretary.

Ordered, That under authority of chapter 261 of the Acts of 1893, the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Boston Sanatorium:

From the appropriation for A-1, Permanent Employees, Nurses, 28 at \$840 per year, \$1,166.66, to the appropriation for A-1, Permanent Employees, Pathologist, 1 at \$2,000 per year, \$1,166.66.

Referred to the Executive Committee.

BUILDING OF PROVINCE STREET.

The following was received:

City of Boston,
 Office of the Mayor, July 11, 1922.

To the City Council:
 Gentlemen,—The importance of opening the block bounded by Tremont, Washington, School and Bromfield streets, both for the purpose of providing a highway for public travel and for the development of realty located within this lot of land before prohibitive realty development has been created makes it essential that action be taken at once and I accordingly recommend the adoption of the accompanying order, providing for the establishment of a building line on Province street, between School street and Bromfield street.

Respectfully yours,
 JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$250,000 be and the same is hereby appropriated for the establishment of a building line, on Province street, between School street and Bromfield street, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

Referred to the Committee on Finance.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables'

bonds of Joseph W. Bennett, John F. Campbell and Samuel Shain.

Approved by the City Council.

MONEY FOR SOLDIERS' RELIEF.

President BRICKLEY, for Coun. GILBODY, offered an order that there be allowed and paid to the Acting Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers Relief Department, the sum of \$300, said sum to be expended subject to the approval of the committee on Soldiers' Relief, by said commissioner in affording immediate relief to persons entitled to aid under chapter 79 of the Revised Laws and acts in amendment thereof and addition thereto.

Passed under a suspension of the rule.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor, communication and order (referred today) for appropriation of \$200,000 for Overseeing of the Public Welfare Department—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

2. Report on message of Mayor, communication and order (referred today) for transfer of \$1,988 from Reserve Fund to Election Department—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

3. Report on message of Mayor, communication and order (referred today) for appropriation of \$5,000 to be expended by the Boston Committee for Americanism—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

4. Report on message of Mayor, communication and order (referred today) for appropriation of \$1,166.66 for pathologist at Boston Sanatorium—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

Adjourned at 4:13 o'clock, p. m., to meet on Tuesday, July 18, at three o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, July 24, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty-five traverse jurors, Superior Criminal Court, First Session, to appear August 9, 1922:

Joseph Barry, Ward 1; William Greco, Ward 1; George Holdsworth, Ward 2; Jeremiah J. Kelleher, Ward 2; Anthony V. Profita, Ward 2; Oscar Tongarelli, Ward 4; Charles M. Morrison, Ward 6; William Tully, Ward 6; J. Henderson Allston, Ward 7; Thomas M. Stickley, Ward 7; Hyman Price, Ward 8; Oscar Bostells, Ward 9; Carl M. Anderson, Ward 11; Dexter R. Dearing, Ward 11; Edward J. Duncan, Ward 11; Jeremiah J. Hickey, Ward 12; George A. Hillman, Ward 12; Francis J. Tracy, Ward 12; George F. Cole, Ward 13; Joseph Esselen, Ward 14; Thomas J. Gibbons, Ward 14; Frank E. Sullivan, Ward 14; Albe J. Lemire, Ward 15; Joseph W. Pickering, Ward 16; George C. Quimby, Ward 16; John J. Lally, Ward 17; Charles Olin, Ward 18; Henry N. Greeley, Ward 19; Allen C. McNair, Ward 19; Joseph Teplitz, Ward 19; Alfred H. McCulloch, Ward 20; William C. Scholtes, Ward 20; Henry F. Bourke, Ward 22; Charles F. Hammerle, Ward 22; John F. Hechan, Ward 22; Clarence S. Hefter, Ward 23; George W. Russell, Jr., Ward 23; Boelof VanTil, Ward 23; George S. Browne, Ward 24; James A. Liddell, Ward 24; Erven C. Cameron, Jr., Ward 25; Thomas E. Kiley, Ward 26; Michael J. Lynch, Ward 26; Francis A. McLaughlin, Ward 26; William W. Taylor, Ward 26.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Thomas F. Coffey, Jr., 86 Marcella street, Roxbury, to the position of Constable of the City of Boston.
2. Constables of the City of Boston: Marcian DiStassio, 17 London street, East Boston; Jacob A. Frischberg, 163 Harold street, Roxbury; Bronis Kontrim, 26 Balfour street, Dorchester; Charles L. Perriello, 8 Charter street, Boston.
3. Winthrop E. Sibley, 53 Churchill street, Newtonville, a Measurer of Wood and Bark.
4. David Kaplan, 52 Fowler street, Dorchester, a Measurer of Leather.
5. Weighers of coal: Robert B. Harlow, 95 Pierce street, Hyde Park; John C. McDougald, 21 Lincoln street, Hyde Park; Andrew Millington, 31 Sargent street, Winthrop.
6. Herbert T. West, 9 Lawson road, Winchester, a Gauger of Liquid Measures and a Weigher of Goods.
7. Patrick J. Cummings, 189 Heath street, Roxbury, a Weigher of Goods.

Laid over under the law.

IMPROVEMENT OF CHARLESBANK GYMNASIUM.

The following was received:

City of Boston,
Office of the Mayor, July 21, 1922.

To the City Council:

Gentlemen,—I am in receipt of the inclosed communication from the Park Department which provides for the improvement of the athletic field at the Charlesbank Gymnasium. This recommendation is made for the purpose of providing added facilities and developing a more extensive use of the same, and I accordingly recommend the adoption of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, July 20, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request on the City Council to appropriate from the income of the Parkman Fund the sum of \$10,000, same to be expended for the improvement of the athletic field at the Charlesbank Gymnasium.

Respectfully yours,
JAMES B. SHEA, Chairman.

Ordered, That the sum of \$10,000 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

Charlesbank Gymnasium, Athletic Field Improvements, \$10,000.

Referred to the Committee on Parkman Fund.

GRANOLITHIC CONSTRUCTION, LAFAYETTE MALL.

The following was received:

City of Boston,
Office of the Mayor, July 21, 1922.

To the City Council:

Gentlemen,—I am in receipt of the inclosed communication from the Park Department which provides for the completion of granolithic construction on Lafayette Mall, Boston Common, and respectfully recommend the adoption of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, July 20, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—By vote of the Board of Park Commissioners, you are respectfully asked to make a request of the City Council to appropriate from the income of the Parkman Fund, the sum of \$2,800, same to be expended for the construction of granolithic walks on Lafayette Mall, Boston Common.

Respectfully yours,
JAMES B. SHEA, Chairman.

Ordered, That the sum of \$2,800 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

Boston Common Improvements, Construction of granolithic sidewalks on Lafayette Mall, \$2,800.

Referred to the Committee on Parkman fund.

RESURFACING, BACK BAY FENS.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:
Gentlemen,—I transmit herewith communication from the Board of Park Commissioners, requesting an appropriation for the resurfacing of park roads in the Back Bay Fens, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, July 18, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request upon the City Council to appropriate from the income of the Parkman Fund the sum of fifty thousand dollars (\$50,000) to be expended as follows:

Resurfacing park roads in the Back Bay Fens with a permanent pavement, 27,027 square yards at \$1.85 per yard, \$49,999.95.

Very respectfully yours,
JAMES B. SHEA, Chairman.

Ordered, That the sum of \$25,000 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance and improvements of the Common and parks in existence on January 12, 1887, as follows:

Fens, Improvements, \$25,000.
Referred to the Committee on Parkman Fund.

SALE OF HOUSE, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:

Gentlemen,—On May 15, 1922, an order was submitted to your honorable body authorizing the Board of Street Commissioners to sell at public auction, at a price of not less than \$1,500, a wooden house located on a plot of land at the junction of River and Winthrop streets, Hyde Park. The sale was held, but no bids were received.

Under date of June 12, 1922, another order was submitted to your honorable body requesting authority to sell the house at a price of not less than \$900. No bids were received.

I have conferred with the real estate expert, Mr. Beck, and he is of the opinion that a fair price for this house would be \$300.

I accordingly recommend the passage of the accompanying order by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the Board of Street Commissioners be authorized to sell at public auction, at a price not less than three hundred (300) dollars, a wooden house located on plot of land at the junction of River and Winthrop streets, Hyde Park, which was taken for municipal purposes by order approved January 16, 1922.

Referred to the Executive Committee.

INCOME FROM WATER SERVICE.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication received from the Commissioner of Public Works, requesting an appropriation of \$42,160 from the income of the Water Service to meet additional requirements in his department, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That to meet the current expenses payable during the financial year, beginning with the first day of February, 1922, the sum of \$42,160 be and the same hereby is appropriated from the income of Water Service, Public Works Department, as follows:

A. Personal Service	\$17,160
1. Permanent employees	
Constables, 3 at \$1,400 per year.....	\$2,300
Laborers, 20 at \$4 per day.....	14,000
Inspector of castings, 1 at \$30	
per week	860
B. Service Other Than Personal.....	5,000
42. Repairing streets, etc.....	\$5,000
F. Special Items	20,000
12. Contracts for construction	
where money is derived	
from taxes as per Sched-	
ule B	\$20,000
	\$42,160

Referred to the Executive Committee.

TRANSFER FOR MUNICIPAL BUILDING.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication received from the Superintendent of Public Buildings, requesting a transfer of \$32,000 for the furnishing of the new municipal building, old Ward 12, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
July 13, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I wish to advise you that inasmuch as the new municipal building, old Ward 12, is about nearing completion, it will be necessary to take up the question of furnishing same at the earliest possible moment. The architect estimates that it will cost about \$32,000, including his commission, and as there is no money available in the general appropriation, it will be necessary to provide same in some other manner. The required sum may be obtained as follows:

Transfer from Recreation Building,	
West Roxbury	\$25,000
Transfer from Quincy Market Build-	
ing	7,000
Total	\$32,000

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Recreation Building, West Roxbury, \$25,000; Quincy Market Building, \$7,000, to the appropriation for Municipal Building, old Ward 12, Furnishings, etc., \$32,000.

Referred to the Executive Committee.

ADDITIONAL APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:

Gentlemen,—I transmit herewith appropriation order for \$5,150 to meet additional requirements of the Law and Treasury Departments, and respectfully recommend the passage of the same by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

APPROPRIATION ORDER FOR THE CITY OF BOSTON.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year upon the City of Boston, or the departments or officers thereof, the respective sums of money specified in the tables hereinafter set forth be and the same are hereby appropriated to be expended for the objects and purposes hereinafter stated, that the same be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereon apply to the taxes herein provided for.

CITY OF BOSTON.

Law Department.

- A. Personal Service as per Schedule A.....\$3,750
- 1. Permanent employees\$3,750

Treasury Department.

- A. Personal Service as per Schedule A.....\$1,400
- 1. Permanent employees\$1,400

Total\$5,150

SCHEDULE A.

CITY OF BOSTON.

Law Department.

- Assistant corporation counsels, 2 at \$2,000 per year.....\$2,000
- Legislative agent, 1 at \$3,000 per year.... 1,750
-\$3,750

Treasury Department.

- Clerks, 2 at \$1,400 per year.....\$1,400
- Referred to the Executive Committee.

ORDER CONCERNING BATH STREET.

The following was received:

City of Boston,

Office of the Mayor, July 24, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the Law Department relative to Bath street, and respectfully recommend the adoption of the accompanying order by your honorable body in substitution for the original order.

Respectfully,
JAMES M. CURLEY, Mayor.

Boston, July 18, 1922.

Hon. James M. Curley,
Mayor of Boston:

RE BATH STREET, POST OFFICE SQUARE.

Honored Sir,—Inclosed herewith is an order of the City Council relative to conveying to the Post Office Square Company such title and interest as we have in that part of Bath street discontinued by order of the Street Commissioners, as amended. This order would authorize you to give such title as the city has in another parcel of land lying at the south end of the Delta Building property.

This parcel has hardly anything more than an imaginary geometrical existence and has never been a part of Bath street, as it is officially laid out. The title to this triangle comes to the city by deed given in 1874 by Ellen Stearns, part of whose estate was taken for the purposes of Bath street. I submit herewith a diagram of the immediate locality of Bath street and thereon will appear the triangular piece I refer to.

I have increased the consideration that is to be paid to the city by the Post Office Square Company by an additional sum calculated on the basis of \$30 a foot.

I assume that the Bath street order, as originally sent you, has not yet gone through the City Council, in which event this may be offered as a substitute.

Respectfully submitted,
E. MARK SULLIVAN,
Corporation Counsel.

Whereas, It is proposed that a portion of Bath street, containing an area of 1,766 feet,

more or less, as shown on a plan hereto annexed, shall be discontinued,

Ordered, In the event of such discontinuance, that the Mayor, in the name and behalf of the city, is hereby authorized to release to the Post Office Square Company, its successors or assigns, by an instrument in writing, satisfactory to the Law Department, all right, title and interest which the City of Boston may have in the said land after the said portion of said street is discontinued, and also in a triangular parcel containing about thirteen square feet of land lying west of Bath street and bounded northerly by the southerly end of the Delta Building property, upon the payment to the city of the sum of \$47,370; and upon the further consideration that the Post Office Square Company shall, without compensation, convey or cause to be conveyed in fee to the City of Boston for street purposes a strip of land containing 200 feet, more or less, which is now located on the southeasterly corner of Post Office square and said Bath street, as shown on the above mentioned plan.

Referred to the Committee on Public Lands.

SUPPLEMENTARY APPROPRIATION.

The following was received:

City of Boston,

Office of the Mayor, July 24, 1922.

To the City Council:

Gentlemen,—I transmit herewith order making a supplementary appropriation for the County of Suffolk, and respectfully recommend the passage of same by your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

ORDER MAKING A SUPPLEMENTARY APPROPRIATION FOR THE COUNTY OF SUFFOLK.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers devolved by statute or ordinance, or by vote of the City Council during the year upon the City of Boston, or the departments or officers thereof, the respective sums of money specified in the tables hereinafter set forth be and the same are hereby appropriated to be expended for the objects and purposes hereinafter stated, that the same be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereon apply to the taxes herein provided for.

COUNTY OF SUFFOLK.

Suffolk County Courthouse, Custodian.

- B. Service Other than Personal.....\$4,465 00
- 39. General plant\$4,465 00
- C. Equipment 3,335 00
- 7. Office\$3,335 00
-\$7,800 00

Superior Court, Criminal Session.

- A. Personal Service as per Schedule A\$10,359 95
- 1. Permanent employees\$2,819 95
- 2. Temporary employees 7,540 00
- B. Service Other than Personal..... 25,000 00
- 34. Jurors\$25,000 00
- D. Supplies 1,800 00
- 2. Food and ice.....\$1,800 00
-\$37,159 95

Municipal Court, Charlestown District.

- A. Personal Service as per Schedule A.....\$133 20
- 2. Temporary employees.....\$133 20

Municipal Court, South Boston District.

- A. Personal Service as per Schedule A.....\$64 80
- 2. Temporary employees.....\$64 80

Municipal Court, Roxbury District.

A. Personal Service as per Schedule A..	\$159 90
2. Temporary employees...	\$159 90
Total	<u>\$45,317 85</u>

SCHEDULE A.

COUNTY OF SUFFOLK.

Superior Court, Criminal Session.

Clerk, 1 at \$1,800 per year.....	\$900 00
Stenographer, District Attorney's Office, 1 at \$1,300 (\$1,500) per year....	140 58
Stenographer, District Attorney's Office, 1 at \$1,500 (\$1,800) per year....	314 67
Stenographer, District Attorney's Office, 1 at \$1,600 (\$1,800) per year.....	140 58
Telephone operator, District Attorney's Office, 1 at \$1,300 (\$1,500) per year	140 58
Office assistant, District Attorney's Office, 1 at \$1,800 per year.....	1,183 54
	<u>\$2,819 95</u>
Temporary.	
Court officers	\$1,800 00
Stenographers	4,000 00
Clerk, 1 at \$1,500 per year.....	1,500 00
Telephone operator, District Attorney's Office, 1 at \$20 per week.....	240 00
	<u>\$7,540 00</u>

Municipal Court, Charlestown District.

Temporary.

First assistant clerk, 1 at \$7.40 per day	\$74 00
Second assistant clerk, 1 at \$5.92 per day	59 20
	<u>\$133 20</u>

Municipal Court, South Boston District.

Temporary.

Assistant clerk, 1 at \$6.48 per day.....	\$64 80
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Municipal Court, Roxbury District.

Temporary.

Assistant clerk, 1 at \$8.88 per day.....	\$88 80
Assistant clerk, 1 at \$7.11 per day.....	71 10
	<u>\$159 90</u>

Referred to the Executive Committee.

ACCEPTANCE OF BAXTER BEQUEST.

The following was received:

City of Boston,

Office of the Mayor, July 24, 1922.

To the City Council:

Gentlemen,—Under the terms of the recent will of Jams Phinney Baxter, late of Portland, Maine, deceased, a bequest of \$50,000 was made to the City of Boston, \$5,000 of which is to be paid to the city, provided it accepts the bequest, within three years after the final probate of the will, which was July 19, 1921, and the balance of \$45,000 is to be paid by the trustees within ten years of the final probate of the will in such installments and at such times within the said ten years as the trustees may determine. The \$50,000 is to accumulate until the year 2020, or until such sum accumulates to \$1,000,000, and the sum is then to be used for a suitable building to be erected in the City of Boston to commemorate the lives and deeds of the founders of New England. The city is to complete the building in all such details on December 31, 2025.

I accordingly recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the City of Boston accept the bequest contained in the will of James Phin-

ney Baxter, late of Portland, in the county of Cumberland, state of Maine, upon the terms and conditions therein imposed, and that his Honor the Mayor, in the name of and in behalf of the city, file forthwith an acceptance of said bequest in writing with the trustees under said will.

Referred to the Executive Committee.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,

Office of the Mayor, July 24, 1922.

To the City Council:

Gentlemen,—I transmit herewith various requests for transfers within department appropriations, and I respectfully request the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for A-1, Permanent Employees, Laborers, Mechanics, etc., 347 at \$4 per day, \$7,000, to the appropriation for A-2, Temporary Employees, \$7,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Boston Sanatorium:

From the appropriation for A-1, Permanent Employees, Nurses, 28 at \$840 per year, \$343.75, to the appropriation for A-1, Permanent Employees, Director of Occupational Therapy, 1 at \$1,650 per year, \$343.75.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Budget Department:

From the appropriation for A-1, Permanent Employees, Commissioner, 1 at \$6,000 per year, \$522.85, to the appropriation for B-1, Printing and Binding, \$12.85; B-2, Postage, \$10; C-3, Office, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Boston Almshouse and Hospital:

From the appropriation for B-39, General Plant, \$100, to the appropriation for B-13, Motorless Vehicle Repairs, \$50; B-23, Veterinary, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for steamers "Monitor" and "George A. Hibbard":

From the appropriation for B-39, General Plant, \$150, to the appropriation for F-11, Workingmen's Compensation, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Municipal Court:

From the appropriation for A-1, Permanent Employees, Assistant Medical Director, 1 at \$1,000 per year, \$00.00, to the appropriation for A-1, Permanent Employees, Assistant Medical Director, 1 at \$1,000 (\$2,000) per year, \$00.00.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Street Cleaning and Oiling Service:

From the appropriation for E-2, Highway, \$5,425.60, to the appropriation for A-1, Per-

manent Employees, Chauffeurs, 3 (9) at \$30 per week, \$4,860; B-20, Disposal of Ashes, Dirt and Garbage, \$550; B-24, Blacksmith, \$15.60.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Suffolk County Courthouse, Custodian:

From the appropriation for A-1, Permanent Employees, Carpenter, 1 at \$36 per week, \$939, to the appropriation for A-1, Permanent Employees, Matron, 1 at \$18 per week, \$939.

Ordered, That under authority of Chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Water Service:

From the appropriation for B-39, General Plant, \$300; C-4, Motor Vehicles, \$50; to the appropriation for B-5, Cartage and Freight, \$300, C-6, Stable, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Election Department:

From the appropriation for A-1, Permanent Employees, Chief Assistant Registrar, 1 at \$2,700 per year, \$1,350.48, to the appropriation for A-2, Temporary Employees, Assistant Registrars, 52 (54) at \$5 per day, \$1,350.48.

Referred to the Executive Committee.

ADDITIONAL APPROPRIATION, SOLDIERS' RELIEF.

The following was received:

City of Boston,
Office of the Mayor, July 21, 1922.
To the City Council:
Gentlemen,—The Acting Soldiers' Relief Commissioner has submitted a request for an additional appropriation of \$250,000 to meet the demand under Item F, special item No. 8, State and Military Aid, Soldiers' Relief and Burials, a copy of which is herewith appended.

I do not agree with the conclusion reached by the Acting Soldiers' Relief Commissioner with reference to the amount of money that may be necessary for the balance of the year.

The Employment Bureau, co-operating with the Civil Service Commission and the Soldiers' Relief Department, have found it possible to provide employment for World War veterans who had been receiving unemployment aid from the city, and invariably it has been found that the World War veteran has preferred employment rather than direct aid from the city.

The peak of the expenditure was reached in March of the current year, when the total expenditure under Item 8 was \$135,970.

Through the agencies to which I have made reference, namely, the Employment Bureau and the Civil Service Commission, in the procuring of employment for veterans, payments for the month of July show a reduction of \$36,000 as against March, and further possible reductions during the balance of the year should represent in this one department a saving of approximately \$300,000.

Consequently, in my opinion, I believe that \$150,000 will be ample to meet the requirements for the remainder of the year, and recommend the adoption by your honorable body of the accompanying order for \$150,000.

Respectfully yours,
JAMES M. CURLEY, Mayor.

APPROPRIATION ORDER FOR THE CITY OF BOSTON.

Ordered, That to meet the current expenses payable during the financial year beginning with the first day of February, 1922, of performing the duties and exercising the powers

devolved by statute or ordinance, or by vote of the City Council during the year upon the City of Boston, or the departments or officers thereof, the respective sums of money specified in the tables hereinafter set forth be and the same are hereby appropriated to be expended for the objects and purposes hereinafter stated, that the same be raised by taxation upon the polls and estates taxable in the City of Boston, and that all orders relating to appropriations, taxes and the interest thereon apply to the taxes herein provided for.

CITY OF BOSTON.

Soldiers' Relief Department.

F. Special Items\$150,000
 8. State and military
 aid, soldiers' relief
 and burials\$150,000

Referred to the Executive Committee.

APPROPRIATION FOR RENT AND HOUSING.

The following was received:

City of Boston,
Office of the Mayor, July 18, 1922.
To the City Council:
Gentlemen,—The appropriation for the Rent and Housing Committee has been exhausted and if this work, so necessary to the welfare of the people, is to be continued it is essential that the accompanying order, which I hereby recommend, be adopted.
Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That the Committee on Rent and Housing be and hereby is authorized to expend under the direction of the Mayor funds not in excess of \$2,500, said expenditures to be charged to the Reserve Fund.

Referred to the Executive Committee.

TRANSFER FOR LEE PLAYGROUND.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:
Gentlemen,—I transmit herewith communication received from the Board of Park Commissioners, requesting a transfer of \$20,000 from the appropriation for a gymnasium at South Boston to the appropriation for the Christopher J. Lee Playground and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, July 11, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—At the last meeting of the Board of Park Commissioners it was voted to ask his Honor the Mayor to request the City Council to transfer \$20,000 from the appropriation, "Gymnasium, South Boston," to the appropriation, "Christopher J. Lee Playground, Improvement and Extension of."

The amount appropriated for the improvement and extension of the Christopher J. Lee playground is \$75,000.

Two contracts have already been awarded, one for grading, loaming, etc., approximately \$38,425, and another for fences, approximately \$4,300, and, together with incidental expenses incurred of \$557, makes a total of \$43,282.

Proposals have been submitted for the construction of a locker building at this place, the lowest bid being \$41,400. If awarded, this will make an additional amount needed of \$9,682. In all we will need the following

itemized amounts in order to complete the playground:

Balance needed to award contract for locker building	\$9,125
Architect's services on locker building....	2,484
Shelter building for children.....	2,500
Planting	1,500
Apparatus	2,500
Tennis courts and grounds for other games	1,891
Total	<u>\$20,000</u>

Very respectfully yours,
JAMES B. SHEA, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Gymnasium, South Boston, \$20,000, to the appropriation for Christopher J. Lee Playground, \$20,000.
Referred to the Executive Committee.

MUZZLING OF DOGS.

The following was received:

City of Boston,
Office of the Mayor, July 24, 1922.
To the City Council:
Gentlemen,—The report of the Health Department for the month of June sets forth that there were twenty-four cases of persons who were bitten by dogs and that seven persons are now undergoing treatment at the City Hospital for rabies.

I transmit herewith communication received from the Health Commissioner urging immediate action in order that the public may be protected, and respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Health Department, July 14, 1922.
Hon. James M. Curley,
Mayor of Boston.

Dear Sir,—For many months there has been an increasing number of dog bite cases reported to this department, and in many cases the animals after examination and diagnosis have proved to be rabid.

On May 12 of this year, through you, I had inserted as a news article in the press of the city a request that all dog owners keep their dog leashed, and in conference with the Police Commissioner effected the co-operation of the Police Department. Inasmuch as this was simply a request and not an ordinance, or order, or regulation, it did not have the effect of law and consequently was of little avail, with the result that but few dogs are found leashed in the streets of this city, with consequent danger to the citizens not only from dogs owned by citizens of Boston but from dogs owned by residents of the adjoining cities and towns, and a corresponding increase in number of cases.

In most cases a dog bite case costs the city \$25 for the treatment which we are obliged to purchase from New York, and in addition there is the annoyance, discomfort and loss of labor of the patient, because he or she is obliged to report daily for treatment for a period of twenty-one days.

I would therefore suggest, if the attached order meets with your approval, that it be presented for approval by the City Council.

Respectfully,
F. X. Mahoney,
Health Commissioner.

Ordered, That all dogs within the limits of the City of Boston be muzzled or restrained from running at large for the period of three months from the date of the passage of this order, and the members of the police force of the City of Boston are hereby authorized and empowered to make special service upon the owner or keeper of each dog within the limits

of the city by delivering to the owner or keeper of such dog a certified copy of this order.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Romeo N. Bossi, for compensation for damage caused by a defective sewer at 4 Humphreys street.

George H. Brown, trustee, for refund of bill for water at 436 Bunker Hill street, paid under protest.

Mrs. Santa Bruno, for compensation for injuries caused by a defect in highway at 211 Hancock street.

Prince Nunzio Carbone, for compensation for damages at 1273 and 1275 Tremont street by the turning off of water.

Margaret E. Carey, for a hearing on claim for injuries caused by a defect in Parkman street.

David Cohen, for a hearing on claim on account of a defect in Hereford street, July 18, 1922.

Atlantic Cone Company, Inc., for compensation for damage to truck by a city truck.

Martin J. Connolly, for compensation for damage to automobile by a defect in Hampden street, near Dudley street.

Annie Connors, for compensation for damage to horse, wagon and harness by a patrol wagon of Station 15.

Mrs. Josephine De Salvo, for compensation for injuries caused by a fall on Causeway street.

Vincent DiStacio, for a hearing on his claim for injuries caused by a defect in sidewalk at 16 Stillman street.

P. Di Napoli & Co. for compensation for damage to caravan on the East Boston Ferry.

James Donovan, for compensation for injuries caused by a ball batted from the Francis Smith Playground on Western avenue.

Louis Donnaruma, for compensation for damage to automobile by a cart of the Sanitary Division.

Alice M. Durst, for compensation for damage by blasting at 19 Ruskin road, Hyde Park.

Edinberg & Golden Company, for compensation for a window at 500 Commercial street, broken by boys playing ball in the North End Park.

Frank Forziati, for compensation for damages at 107 Bennington street, by a defective water pipe.

F. Gray Company (John N. Hyde), for compensation for damage to show cases at estate on Marshall street, at Hanover street, caused by fire apparatus.

A. Greenberg Poultry Company for compensation for loss of business caused by undermining and blockading their place of business on Lewis street, East Boston.

S. Greenburg, to be paid \$304 extra cost of laying drain and connections at 73-77-81-85 Audubon road and Public Alley No. 914.

Mary A. Healy, for compensation for loss caused by the tearing down of building at 6 and 7 Marble street, condemned by the city.

Frank Ireland, for compensation for injuries and damage to clothing by a fall on Washington street, at Boston Elevated Emergency Station.

Mrs. Lena Kaufman, for compensation for injuries received from a fall on sidewalk at 53 Allen street.

Eugene Labate, for compensation for damage to truck by the defective condition of Sprague street, Readville.

Nettie LaCourt, for compensation for damages at 323 Maverick street, caused by a defective sewer.

Joseph LaRosa, for compensation for injuries caused by a watering cart.

Henry I. Lazarus, for compensation for damage to automobile by a defect in Tremont street, corner Castle street.

Armour Leather Company, to be reimbursed expense of making connection of drain with the main sewer at 23-27 Sleeper street.

Delia Lee, for compensation for damage by a defective hydrant at 701 East Eighth street, corner M street.

Gertrude Lotto, for a hearing on her claim on account of injuries caused by a defect in highway at 2750 Washington street, Roxbury.

C. P. McCaffrey, for refund of tax for the year 1919, paid by mistake, on estate 75 Albany street.

Louis F. Miller, for compensation for damage to automobile by a defect in Cambridge street, Allston, on bridge over Boston & Albany Railroad.

Mills Transfer Company, for compensation for damage to truck by a city dump cart on Atlantic avenue.

Bartholomew F. Murphy, for compensation for injuries caused by a defect at 162 Putnam street, East Boston.

E. F. Nicholson, for refund of amount of fee for lodging house at 213 Newbury street, paid twice.

Jane Noonan, for a hearing on claim on account of injuries caused by a defect in crosswalk at Washington and Franklin streets.

Ernest N. Norris, for compensation for damage to automobile by a city truck on Columbia road and Seaver street.

Jennie E. Norris, for compensation for injuries caused by a city truck running into the automobile in which she was riding on Columbia road.

Jennie Pandano, for compensation for injuries received on the East Boston Ferry.

William Pink, to be paid for damage to automobile by a city team on Haviland street.

Bessie Pinstein, for compensation for injuries caused by a defect in sidewalk at 407 Charles street.

Sarah Pisano, for compensation for injuries caused by a fall on sidewalk in front of 378 Bremen street.

Mrs. Pushnis, for compensation for injuries caused by a defect in Brighton avenue.

John C. Rose, for compensation for injuries caused by being thrown from wagon, due to a hole in Water street.

Mrs. J. J. Reagan, for compensation for damage to her daughter's clothing by oil on sidewalk on Gibson street.

George H. Ryan, for compensation for damage to truck by fire apparatus, in front of 178 Blackstone street.

Mary A. Sheil, for compensation for damage to concrete walk by an ash cart at 12 North Munroe terrace.

Martin J. Shufro, for compensation for damage to automobile by a defect in Boylston street, corner Charles street.

John and Nancy Sorrenti, for compensation for injuries caused by a falling ceiling at estate of the City of Boston, 19 Cherry street.

Lemuel W. Standish, for compensation for injuries caused by a fall at corner of Congress and Stillings streets.

Hary Steinberg, for compensation for damage to drain at 55 Bower street, caused by city employees in laying new drain.

Sarah M. Toy, for rebate of amount paid for water bill on March 29, 1922, on estate 69 Woolson street.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of James A. Donovan, George L. Gilbert, John J. Mathony and Vincenzo Musto. Approved by the City Council.

NOTICE OF APPOINTMENTS.

Notice was received from the Mayor of the following appointments, certified copies of the same having been sent to the Civil Service Commissioners, viz.:

Michael J. Ward, Soldiers' Relief Commissioner.

William A. Fish, Board of Examiners.
James P. Balfe, Statistics Trustee.
Placed on file.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of approval of the following appointments, made by the Mayor, viz.:

James F. Egan, Election Commissioner.
Frank Seiberlich, Election Commissioner.
James H. Fitzpatrick, Board of Appeal.
Placed on file.

NOTICE OF ORGANIZATION.

Notice was received from the City Planning Board of its organization, viz.: Frederic H. Fay, chairman; Mary A. Barr, acting chairman; Elisabeth M. Herlihy, secretary.
Placed on file.

MILITIA ENROLLMENT.

A communication was received from the Assessing Department certifying that under chapter 33 of section 6 of the General Laws that the number of persons in the City of Boston liable to enrollment in the militia for the year 1922 amounted to 141,112.
Placed on file.

RELOCATION OF TRACK.

A copy of an order was received from the Street Commissioners granting the West End Street Railway Company a permit for relocation of track on northwest corner of Harrison avenue and Kneeland street (571st location).
Ordered printed and placed on file.

TRAFFIC REGULATIONS.

Notice was received from the Street Commissioners of amendment to Article 1, section 1, of the Street Traffic Regulations, adding to said section that Carruth street, Dorchester, southerly from Ashmont street to Codman street, be a one-way street to vehicular traffic, and that Hudson street northerly, from Curve street to Beach street, be a one way street to vehicular traffic.
Placed on file.

NOTICES OF HEARINGS.

Notices were received from the Street Commissioners of hearings on July 17, July 24 and July 31 on various petitions for storage and sale of gasoline at different locations.
Placed on file.

EQUIPMENT OF PUBLIC BUILDINGS.

Notice was received from the secretary of the George Robert White Fund that the request of the City Council for the equipment of public buildings for veteran organizations of Boston cannot be complied with under the terms of the will of George Robert White.
Placed on file.

COURT OFFICER, ROXBURY.

Notice was received from the Mayor of his acceptance of act authorizing an additional court officer in the Roxbury Municipal Court.
Placed on file.

CLAIM OF ATLAS CONSTRUCTION CO.

Coun. WALSH offered an order that chapter 207 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to pay a Certain Claim of the Atlas Construction Company," be and the same hereby is accepted.
Referred to the Executive Committee.

PAYMENT TO WILLIAM SEGAL.

Coun. GILBODY offered an order that chapter 536 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to pay a Sum of Money to William Segal," be and the same is hereby accepted.

Referred to the Executive Committee.

SIDEWALK ORDERS.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along the westerly side of Dudley street, from Howard avenue to Folsom street, on the southwesterly side, from Magnolia street about 235 feet northwesterly, and in front of Nos. 646 to 650, inclusive, Ward 12, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 196 of the Special Acts of 1917.

Passed.

Coun. WALSH offered an order—That the Commissioner of Public Works make a sidewalk along the easterly side of Saunders street, from Cambridge street to Pomeroy street, Ward 25, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed.

Coun. WALSH offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Shannon street, from Washington street to Union street, Ward 25, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed.

Coun. WALSH offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Aldie street, from Everett street to Franklin street, Ward 26, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed.

RETIREMENT OF COURT OFFICER.

A request was received from the justice of the Brighton Municipal Court for the retirement of Court Officer B. Franklin Sanborn.

Referred to the Committee on County Accounts.

INTEREST IN CONTRACTS.

Notices were received, in accordance with the law, of interest in contracts from the following persons, viz.:

James A. Watson; Joseph P. Manning; Louis K. Rourke.

Placed on file.

SIDEWALK ASSESSMENTS.

A communication was received from the Commissioner of Public Works giving schedule of cost of sidewalk construction on Market street, Ward 26, amounting to \$6,213.51, and recommending the passage of the following:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sums set against their respective names as their proportionate parts

of the cost of constructing sidewalks in front of their estates on Market street, Ward 26, and the same is ordered to be certified and notice given to the parties as aforesaid.

The order was passed.

RAILROAD POLICE.

In accordance with the provisions of law notice was received from the Police Department of appointment of certain persons as railroad police officers for the Boston & Maine Railroad.

Placed on file.

BUILDING LINE ON PROVINCE STREET.

The following was received:

Finance Commission,
July 18, 1922.

To the Honorable the City Council:

Gentlemen,—The Finance Commission submits the following report to your honorable body in the matter of an appropriation order of \$250,000 from a loan in the matter of an appropriation order of \$250,000 from a loan to establish a building line on Province street, between School street and Bromfield street, submitted by his Honor the Mayor.

The first notice that the Finance Commission had that the establishment of such a line was contemplated this year was the report in the public press of a meeting of the owners of the real estate on Province street, the Street Commissioners, and his Honor the Mayor at the Mayor's office on Thursday, July 6, 1922. Such investigation as the Finance Commission has been able to make since that time establishes the following facts.

1. The establishment of a building line, or the widening of Province street, as the project is now called, was not considered by the Street Commissioners in their program for this year.

2. Early in June the desirability of widening Province street was suggested to the Street Commissioners by one of the trustees of the McAleer estate who, at the same time, interviewed the owners of the land abutting the easterly side of Province street on the matter and found them opposed. He did no more about it.

3. The proposed widening contemplates a 50-foot street and substantially all the land necessary for the widening is to be taken from owners abutting on the easterly side of the street.

4. The land on the easterly side of Province street is owned or controlled by the Boston Five Cents Savings Bank, the Olympia Realty Company, and George U. Crocker and others, trustees of the Ballard Real Estate Trust.

5. The Olympia Realty Company owns or controls a frontage on Province street of 105 feet about midway between School and Bromfield streets, and is now engaged in building a theater upon this land which will have its entrance on Washington street. The city issued a permit to tear down the old buildings on this land May 9, 1922, when the work of tearing down the buildings was begun.

6. Mr. Max Shoolman is the treasurer of the Olympia Realty Company. He stated to the Finance Commission that the building plans contemplated a building devoted to stores and offices on Washington street, with an arcade entrance to the theater, and that one of the stores is already leased on a long term and includes a basement extending under the theater to the present Province street line.

7. The taking by the city to widen Province street to 50 feet, Mr. Shoolman states, would leave an insufficient depth for a theater and the construction of a theater and part of the basement to be constructed under the theater would have to be abandoned.

8. The Olympia Realty Company has excavated to a depth of 35 feet on the Prov-

ince street frontage and has built cement walls on three sides the entire depth. Much of the steel for the proposed building is in place. Mr. Shoolman stated that 500 tons of steel would be rendered worthless except for a junk value if the theater building is abandoned.

9. The Boston Five Cents Savings Bank has tentative plans for a new bank building to be erected in the near future. The taking of part of its land to widen Province street to 50 feet will not prevent such building as is contemplated for banking purposes, provided the bank is able to procure certain land in the rear of such land fronting on School street as remains after the taking.

10. The trustees of the Ballard estate, corner of Bromfield and Province streets, have a frontage of about 60 feet on Bromfield street. To widen Province street to 50 feet it will be necessary to take about 30 feet of this land, all the way back to Province court. This would leave a parcel remaining of not more than 30 feet in width, which is probably too narrow to develop to the best advantage.

The debt incurring power of the city was estimated at the beginning of the present fiscal year at \$3,642,050.65. During the first five months loans aggregating \$3,160,000 were authorized by your honorable body, leaving a debt incurring power as of July 1, 1922, of \$482,050.65.

Of the loans already authorized, \$1,025,000 is to be devoted to park and playground improvements; \$800,000 for sewerage works; \$500,000 for making of highways; \$500,000 for building Police Station 2; and \$335,000 for rebuilding two bridges.

The Finance Commission believes that Province street ought to be made wider. The time that it has had to study this matter has not been sufficient to enable it to consider all the factors that enter into a determination of the extent of the widening.

The commission does not believe that the widening of Province street to 50 feet would solve present traffic conditions to any appreciable degree. If the widening of Province street is to be the beginning of the construction of a through street parallel with Tremont street north and south, that fact ought to be known and a thorough study of the whole situation made before any part of it is begun. But whatever the purpose of the proposed widening, very much more time to study the problem than has been given to any of the parties vitally interested, including city officials who have a duty in the matter, should be allowed before an appropriation order is passed.

There seems to the Finance Commission to be an insuperable financial objection to this widening in this financial year. A conservative estimate of the cost of widening and constructing Province street will exceed \$1,000,000 by a substantial amount. As the commission understands the matter, the city is now proposing to take such action as will prevent the Olympia Realty Company from continuing to build upon certain of its land bordering on Province street. The city proposes to do this for the purpose of widening Province street its entire length. The city cannot be said to be establishing a building line when it is actually depriving the owner of real estate of its present use. Before undertaking such a public improvement, the city must have the money available to pay for it. There are not now sufficient funds available to carry out this proposed widening project, even if the entire balance of the debt incurring power is used.

The Finance Commission has repeatedly reported on the danger to the city of reducing its borrowing power below \$500,000 so early in the financial year. To further reduce the city's borrowing power, now \$482,000, would be to place the finances of the city in a perilous condition for the next six months.

The Finance Commission recommends that your honorable body do not approve the or-

der now before you for an appropriation of \$250,000 to establish a building line on Province street.

Respectfully submitted,
MICHAEL H. SULLIVAN, Chairman,
COURTENAY GUILD,
JOHN F. MOORS,
J. WALDO POND.

The Finance Commission.

City of Boston,

Office of the Mayor, July 19, 1922.

Hon. Michael H. Sullivan, Chairman, Finance Commission, 413 Tremont Building, Boston, Mass.:

Dear Sir,—I beg to acknowledge receipt this day of your communication relative to the improvement of Province street.

Replying thereto I beg to state that the recommendation made to the City Council provided for the creation of a building line to continue until June 1, 1928. This recommendation was made for the sole purpose of safeguarding the city financially and making such provision as was possible for the convenience of the public and the establishment of a new business thoroughfare in the heart of the city. The question of the ultimate establishment of a permanent thoroughfare of which the portion between Bromfield and School streets would serve as a part is a question that can best be determined by the City Planning Board. To follow the recommendation of the Finance Commission and to delay action at this time would result in a later increased cost which might render the proposed improvement impossible of consummation. My personal opinion is that at no time during the past half century has it been possible to carry through a project of this character at a less cost than at the present time and there is no way in which either the City Council or the Mayor can justify further delay.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Finance Commission,
July 20, 1922.

Hon. James M. Curley,
Mayor of Boston:

Sir,—Your letter of the 19th instant in reply to a report of the Finance Commission, dated 18th instant, to the City Council, in the matter of an appropriation from loan of \$250,000 for establishing a street line on Province street, has been received.

The commissioner is in accord with your Honor in believing that the widening of Province street would be a desirable improvement. The real questions at issue, however, are whether the finances of the city will justify the proposed widening now and whether the way proposed is the appropriate way.

The Finance Commission is not in accord with your Honor in the opinion expressed in your letter that at no time during the past half century has it been possible to carry through a project of this character at a less cost than at the present time.

It appears that during the past three months the abutting owner of the land where your Honor now desires to establish a street line has expended or contracted to expend a sum approximating the amount that you ask the City Council to appropriate, not including the value of the land itself.

In the opinion of the Finance Commission the time to have widened Province street on the east was three months ago, before these expenditures were undertaken and before the city had authorized the use of nearly the whole of its borrowing power for the year for other purposes.

Respectfully submitted,
MICHAEL H. SULLIVAN, Chairman,
COURTENAY GUILD,
JOHN F. MOORS,
J. WALDO POND.

The Finance Commission.

Placed on file.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for fifty newsboys and twenty-three vendors—recommending that licenses be granted.

Reports severally accepted; licenses granted on the usual conditions.

CLERK HIRE.

The Register of Deeds submitted, in accordance with law, the payroll of the office for the month from June 26 to July 24, amounting to \$8,009.74.

Approved and ordered paid.

RECESS TAKEN.

The Council voted, at 3.12 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the Chamber and were called to order by the President at 5.40 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD for the Executive Committee submitted the following, viz.:

1. Report on notices from Street Commissioners (referred June 26) of hearings on petitions for storage and sale of gasoline—that the same be placed on file.

Report accepted; communications placed on file.

2. Report on message and order (referred today) for transfer of \$2,500 from the Reserve Fund to the Committee on Rent and Housing—that the order ought to pass.

Report accepted; order passed.

3. Report on message of Mayor and order (referred today) accepting bequest contained in the will of James Phinney Baxter—that the order ought to pass.

Report accepted; order passed.

4. Report on message of Mayor, communication and order (referred today) for muzzling of dogs—that the order ought to pass.

Report accepted; order passed.

5. Report on message of Mayor and orders (referred today) for various department transfers—that the orders ought to pass.

Report accepted; orders passed, yeas 9.

6. Report on message of Mayor, communication and order (referred today) for appropriation of \$150,000 for Soldiers' Relief Department—that the order ought to pass.

Report accepted; order passed, yeas 9.

7. Report on message of Mayor, communication and order (referred today) for transfer of appropriation of \$20,000 to Christopher J. Lee Playground—that the order ought to pass.

Report accepted; order passed, yeas 9.

8. Report on message of Mayor, communication and order (referred today) for appropriation of \$42,160 from the income of Water Service—that the order ought to pass.

Report accepted; order passed, yeas 8.

9. Report on message of Mayor and order (referred today) concerning sale of house at junction of River and Winthrop streets, Hyde Park—that the order ought to pass.

Report accepted; order passed.

10. Report on order (referred today) for acceptance of act authorizing the City of Boston to pay a sum of money to William Segal—that the order ought to pass.

Report accepted; order passed.

11. Report on orders (referred June 26) authorizing the City of Boston to pay a sum of money to the sister of the late Daniel J. McShane—recommending the passage of the order in the following new draft, viz.:

Ordered, That in accordance with the provisions of chapter 528 of the Acts of 1922

there be allowed and paid to Lena McShane, sister of Daniel J. McShane, a police officer of the City of Boston, who was killed in the performance of his duty, the sum of \$2,500 in weekly payments of \$15 each, the sum so paid to be charged to the Reserve Fund.

Report accepted; order passed.

FINANCE.

Coun. LANE, for the Committee on Finance, submitted a report on message of Mayor and order (referred July 11) for loan of \$100,000 for highways, making of (Chelsea street, Charlestown)—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its final reading not less than fourteen days from date.

PUBLIC LANDS.

Coun. LANE, for the Committee on Public lands, submitted the following, viz.:

1. Report on message of Mayor, communication, preamble and order (referred July 11) for the discontinuance of Bath street—that no further action is necessary.

The report was accepted.

2. Report on message of Mayor, communication and order (referred today) relative to Bath street—recommending the passage of the order.

The question came on the passage of the order.

Coun. MORIARTY—Mr. President, I move that the order lay on the table.

The question came on laying the order on the table and the motion was lost, yeas 4, nays 5, the vote being:

Yeas—Coun. Brickley, Gilbody, Moriarty, Walsh—4.

Nays—Coun. Donaghue, Ford, Hagan, Lane, Watson—5.

The order was passed, yeas 8, nays 0.

3. Report on message of Mayor and order (referred July 11) concerning release of restrictions on land on Washington street, between Massachusetts avenue and Northampton street—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of July, 1922.

Report accepted; order passed.

TABLET FOR THOMAS J. GIBLIN, JR.

Coun. FORD offered an order—That the Public Works Commissioner be requested, through his Honor the Mayor, to construct an island in the center of Thomas J. Giblin, Jr., square in East Boston, in order that a suitable tablet may be constructed on said island in memory of the young hero who lost his life in the World War.

Passed under a suspension of the rule.

DANTE ALIGHIERI LIBRARY.

Coun. FORD offered an order—That the trustees of the Boston Public Library, through his Honor the Mayor, be requested to change the name of North End Branch Library to that of Dante Alighieri Branch, in honor of Italy's and the world's famous poet.

Passed under a suspension of the rule.

JOHN J. DAVIS SQUARE.

Coun. FORD offered an order—That the square on Webster street at the head of Lamson street be named John J. Davis square in memory of John J. Davis, who lost his life in the World War.

Passed, under a suspension of the rule.

PAYMENT TO PARENTS OF J. J. KELLEY.

Coun. FORD offered an order—That chapter 527 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to pay a Sum of Money to the Parents of John Joseph Kelley," be and the same is hereby accepted.

Coun. FORD offered an order—That a sum of money, not exceeding \$2,500, be paid in weekly payments of \$15 to John H. Kelley and Mary Kelley, parents of John Joseph Kelley, a minor, who was permanently injured on December 2, 1920, while a pupil at the Harvard Grammar School.

Coun. FORD—Mr. President, that matter was passed once and now it has gone in the usual form—\$15 a week. I understand that is satisfactory to the Mayor and everybody else, and I move that the rule be suspended.

The rule was suspended and the orders were passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up Nos. 1 to 7, inclusive, unfinished business, viz.:

Action on appointments submitted by the Mayor June 26, 1922, viz.:

1. Louis T. Nisco, to be a Constable.
2. To be Weighers of Coal, Measurers of Wood and Bark, Measurers of Grain, Weighers of Boilers and Heavy Machinery, Weighers of

Beef and Weighers of Goods: John J. Clark, John P. Coakley, John E. Doherty, J. Edward Donegan, Grant Dunn, William E. Gerish, Ernest C. Good, Irving A. Gould, George F. Griffin, Ralph Johnson, Martin J. Kearns, William J. Leonard, William G. Miller, James Murphy, Michael J. McCann, Justin McCarthy, Walter C. Ripley, George D. Secor, Frederick R. Segee, Allan Wright.

3. To be Weighers of Coal, Weighers of Boilers and Heavy Machinery, and Weighers of Beef: Florence Donovan, Frederick P. Wood.

4. To be Weighers of Boilers and Heavy Machinery and Weighers of Beef: Patrick Broderick, Joseph F. Clark, Frederick A. Crothers, Oscar W. Devery, Mark R. Eisenhower, John Galloway, Charles H. Harris, Richard Hein, James H. May, Horace F. Patterson, Eugene Sheridan, Philip H. Sheridan.

5. To be Weighers of Beef: George W. Keith, Michael Collins.

6. To be Measurers of Grain and Inspectors of Pressed or Bundled Hay and Straw: Harry E. Wood, Arthur J. Duffy.

7. To be Weigher of Goods: Lawrence Champa.

The question came on confirmation. Committee—Coun. Ford and Walsh. Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.56 o'clock p. m., on motion of Coun. WALSH, to meet on Monday, July 31, at two o'clock p. m.



CITY OF BOSTON.

Proceedings of City Council.

Monday, July 31, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, July 31, 1922.
To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint Samuel M. Beresnack, 14 North Russell street, Boston, to the position of Constable of the City of Boston for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

Laid over under the law.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, July 31, 1922.
To the City Council:

Gentlemen,—I transmit herewith various requests for transfers within department appropriations and respectfully request the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Sanitary Service:

From the appropriation for A-1, Permanent Employees, Mechanics' Assistants, 9 at \$4.25 per day, \$700, to the appropriation for A-1, Permanent Employees, Constables, 1 (2) at \$1,400 per year, \$700.

From the appropriation for B-15, Motorless Vehicle Repairs, \$5,054.50, to the appropriation for B-18, Cleaning, \$30; B-37, Photographic and Blueprinting, \$24.50; B-39, General Plant \$5,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sewer Service:

From the appropriation for B-32, Towing, \$350, to the appropriation for B-28, Expert and Architect, \$350.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Sewer Service:

From the appropriation for A-1, Permanent Employees, Electricians, 2 at \$5.60 per day, \$250; Mechanics, 4 at \$5.50 per day, \$104.12; Firemen, Oilers, Filth Hoist Men and Gate-men, 35 at \$5.50 per day, \$250, to the appropriation for A-2, Temporary Employees, \$604.12.

From the appropriation for D-1, Office, \$50, to the appropriation for B-2, Postage, \$50.

From the appropriation for B-39, General Plant, \$250, to the appropriation for B-42, Repairing Streets, etc., \$250.

From the appropriation for E-13, General Plant, \$629.83, to the appropriation for C-2, Machinery, \$629.83.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Ferry Service:

From the appropriation for B-39, General Plant, \$4,050, to the appropriation for A-3, Unassigned, \$3,500; B-1, Printing and Binding, \$400; F-11, Workmen's Compensation, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Public Works Department, Street Cleaning and Oiling Service, B-6, Hire of Teams and Auto Trucks, \$31,000, to the appropriation for Public Works Department, Sanitary Service, B-39, General Plant, \$20,000; E-13, General Plant, \$11,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Bridge Service:

From the appropriation for B-39, General Plant, \$300, to the appropriation for F-11, Workmen's Compensation, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Paving Service:

From the appropriation for B-23, Veterinary, \$250; D-7, Veterinary, \$50, to the appropriation for B-15, Motorless Vehicle Repairs, \$250; D-8, Laundry, Cleaning, Toilet, \$50.

Referred to the Executive Committee.

BARRIERS, SUMMER STREET BRIDGE.

The following was received:

City of Boston,
Office of the Mayor, July 31, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, requesting a transfer of \$12,000 from the Reserve Fund for the erection of two yielding barriers at the Summer Street Bridge, over the Fort Point channel, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
July 31, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I respectfully request that the following transfer be made from the Reserve Fund to the appropriation for Bridges, Repairs, etc., Bridge Service, Bridge and Ferry Division, Public Works Department:

From the appropriation for Reserve Fund, \$12,000, to the appropriation for Bridges, Repairs, etc., \$12,000.

This is to provide for the erection of two yielding barriers at Summer Street Bridge, over Fort Point channel, of the type patented by the Boston Barrier and External Brake Company.

Respectfully yours,
JOSEPH A. ROURKE,
Commissioner of Public Works.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$12,000, to the appropriation for Public Works Department, Bridge Service, Bridges, Repairs, etc., \$12,000.

Referred to the Executive Committee.

APPROPRIATION FOR PUBLIC CELEBRATIONS.

The following was received:

City of Boston,
Office of the Mayor, July 31, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication from the Director of Public Celebrations, requesting an additional appropriation of \$5,000, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Director of Public Celebrations,
Boston, July 27, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—In order that my department may meet the demands of Labor Day and Columbus Day, I respectfully request that I be provided by transfer or Council grant the sum of \$5,000 on the following basis:

\$2,000 for Labor Day.
\$2,000 for Columbus Day.
\$1,000 for Emergency.

The total of \$55,000 assigned this department for the year 1922 has been practically used because of unforeseen additions and increases in public celebration allotments, which were approximately as follows:

Centennial Celebration, April 19 and	
May 1	\$1,500
Memorial Day, May 30, Massachusetts.....	1,000
Additional posts	1,000
July 4:	
East Boston, dedication.....	600
East Boston, fireworks.....	800
Boston Common, pageant.....	500
Boston Common, fireworks.....	1,000
Additional ice cream stations.....	300
Postponements	500
Total	\$7,200

Yours very truly,
J. PHILIP O'CONNELL,
Director.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$5,000, to the appropriation for Public Celebrations, \$5,000.

Referred to the Executive Committee.

ORDINANCE FOR PARK DEPARTMENT RESTRICTIONS.

The following was received:

City of Boston,
Office of the Mayor, July 31, 1922.
To the City Council:

Gentlemen,—The restrictions adopted for the purpose of protecting the park system of Boston, adopted in 1892, will shortly expire, and it being imperative that steps be taken at once for the protection of the park system, I respectfully recommend adoption of the accompanying ordinance.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston.

In the year Nineteen Hundred and Twenty-two. An Ordinance Relative to Park Frontages in the City of Boston.

Be it ordained by the City Council of Boston, as follows:

Section 1. No building erected or placed upon land abutting upon parks or parkways in the city of Boston, to a distance of one hundred feet therefrom, shall be used for a livery or public stable or public garage, or for any mechanical, mercantile or manufacturing purposes; nor exceed five stories in height above the basement or cellar; nor exceed seventy feet in height from the mean grade of the edgestone or sidewalk in front to the ceiling of the extreme upper story (excepting churches or chapels), and no roof

shall be used for laundry or clothes drying purposes, except that if written permission be granted by the Park Department, a roof or roofs may be used for laundry purposes when entirely screened from view of the park.

Section 2. On lands abutting upon parks and parkways and to a distance of one hundred feet therefrom, from the Fens to Franklin Park, both inclusive, no wooden house arranged for more than one family, nor wooden block consisting of more than two houses, nor wooden house or block standing at a distance less than five feet from the side line of the lot upon which the same is placed, and no wooden house costing less than five thousand dollars, nor brick or stone house costing less than seven thousand dollars, nor apartment house costing less than four thousand dollars per suite of apartments, exclusive in each case of the cost of the land, shall be erected or placed upon said premises.

Section 3. On land abutting upon parks and parkways and to a distance of one hundred feet therefrom, on the Dorchesterway and Strandway, no wooden house of more than three stories, nor wooden block consisting of more than two stories, nor wooden house or block standing at a distance less than five feet from the side line of the lot upon which the same is placed, and no wooden house costing less than four thousand dollars, nor brick or stone house costing less than six thousand dollars, nor wooden apartment house of two stories costing less than five thousand dollars, nor wooden apartment house of three stories costing less than six thousand dollars, nor apartment house of brick or stone costing less than three thousand dollars per suite of apartments, exclusive in each case of the cost of the land, shall be erected or placed upon said premises.

Section 4. No building shall be erected or placed upon said premises within twenty feet from the exterior line of said parks and parkways, and including the Fens to Perkins street,—and no building shall be erected or placed upon said premises within twenty-five feet from the exterior line of said parks and parkways from Perkins street to and including Franklin Park; provided that steps, windows, porticos and other usual projections appurtenant to the front wall of a building are to be allowed in this reserved space of twenty and twenty-five feet respectively, subject to the following limitations, viz.: First, that no projections of any kind (other than doorsteps and balustrades connected therewith, and also cornices and roof of the building) shall extend more than five feet from the rear line of the aforesaid space; provided, however, that outside the building limits piazzas projecting not more than ten feet shall be permitted within the reserve space from the Fens to Franklin Park. Second, that no projections in the nature of a bay window, corner bay, circular front, or octagon front, with the foundation wall sustaining the same (such foundation wall being a projection of the front wall), will be allowed (excepting oriel windows, above the first story on a street corner), unless any horizontal sections of such projections would fall within the external lines of trapezoids, the sum of whose bases upon the rear line of the aforesaid space does not exceed seven-tenths of the whole front of the building, and the base of any one of which trapezoids does not exceed eighteen feet, and whose side lines make an angle of forty-five degrees with the base; and each house in a block shall be considered a separate building within the meaning of this limitation.

Section 5. No building shall be erected or placed upon said premises within twenty feet from the exterior line of said parks and parkways, on the Dorchesterway and Strandway; provided that steps, windows, porticos and other usual projections appurtenant to the front wall of a building are to be allowed in this reserved space of twenty feet, subject to the following limitations, viz.: First, that no projections of any kind (other than doorsteps and balustrades connected therewith, and also piazzas projecting not more than eight feet) shall extend more

than five feet from the rear line of the aforesaid space. Second, that no projections in the nature of a bay window, corner bay, circular front, or octagon front, with the foundation wall sustaining the same (such foundation wall being a projection of the front wall), will be allowed (excepting oriel windows above the first story on a street corner), unless any horizontal sections of such projections would fall within the external lines of trapezoids, the sum of whose bases upon the rear line of the aforesaid space does not exceed seventenths of the whole front of the building, and the base of any one of which trapezoids does not exceed eighteen feet, and whose side lines make an angle of forty-five degrees with the base; and each house in a block shall be considered a separate building within the meaning of this limitation.

Sect. 6. This ordinance shall take effect upon its passage.

City of Boston,

Park Department, July 31, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—For the purpose of carrying out the scheme of development along the border of the parkways and for improving and beautifying the city, we recommend the passage of the inclosed ordinance.

The provisions of this ordinance are but an enactment into law of the restrictions that were placed in the deeds given of the premises by the owners to the city. In course of time these restrictions will become obsolete, and to carry out the spirit of the original improvements and to preserve the beauty of the parks it is necessary to have an ordinance similar to the one proposed, as this is the only method of regulating the character and the use to be put of the buildings bordering on the parks.

The authority for passing this ordinance was given by the provisions of chapter 601, Acts of 1920.

Yours respectfully,
 BOARD OF PARK COMMISSIONERS,
 DANIEL J. BYRNE,
 Secretary.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mrs. James E. Beegan, for compensation for injuries caused by a defect in Causeway street at Canal street.

Rose Berkovitz, for compensation for damages at 1272 Blue Hill avenue by overflow of hydrant.

Annie B. Boothman, for compensation for injuries caused by a fall on sidewalk at 2214 Washington street.

Chester F. Collier, for compensation for damage to automobile by a cart of the Paving Division.

Carmelo Guarnera, 85 Everett street, and Vincenzo Visconti, 83 Everett street, East Boston, for compensation for damages to their estates by poor drainage.

Ernest R. Lee, for compensation for damage to automobile at 607 Shawmut avenue.

Catherine E. McCluskey, for compensation for damages at 580 Centre street, Jamaica Plain, caused by blasting.

Harry Noah, for compensation for damages caused by a defect in Columbia road.

Saul Olin, for a hearing on claim on account of injuries caused by a defect in Columbia road.

Joseph L. Harris, for compensation for injury to automobile caused by City of Boston patrol wagon.

Executive.

Petitions were received for licenses to sell, rent or lease firearms, as follows:

Anthony C. Riccio, 91 Meridian street, Ward 2.

Hyman Rosenthal, 360 Washington street, Ward 26.

Michael T. Rosenthal, 30 Border street, Ward 2.
 Echel Herman, 164 Merrimac street, Ward 5.
 Giovanni Mongardi, 150 Richmond street, Ward 5.
 Abram Pearlman, 101 Staniford street, Ward 5.
 Morris Yavner, 193 Atlantic avenue, Ward 5.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of James A. Canton.

Approved by the City Council.

NOTICE OF APPOINTMENTS.

Notice was received from the Mayor of the following appointments, certified copies of the same having been sent to the Civil Service Commission, viz.:

Theodore A. Glynn, Fire Commissioner.
 Michael J. Ward, Soldiers' Relief Commissioner.

Placed on file.

NOTICE OF INTEREST.

Notice was received, in accordance with law, on interest in contract with the Schoolhouse Department of John F. Hickey (Board of Examiners).

Placed on file.

AMENDMENT OF STREET TRAFFIC REGULATIONS.

A communication was received from the Board of Street Commissioners of amendment to the street traffic regulations, viz.:

One-way streets to vehicular traffic: Central street, westerly from Broad street to Kilby street; Water street, easterly from Liberty square to Broad street.

Washington street, between Essex street and Cornhill, between the hours of ten o'clock a. m. and six o'clock p. m., vehicles may stand on either side of the street for not more than two minutes.

Placed on file.

WILLIAM J. CORBETT SQUARE.

Coun. WATSON offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to name the junction of Huntington avenue, Riverway and Jamaica way William J. Corbett square, in memory of said Corbett, who died in the United States service during the World War, and that said space be suitably marked with signs.

Coun. WATSON—Mr. President, this is a repetition of an order introduced sometime ago, naming a square after the same young man; but the boundaries were wrong and the departments named as having authority over the particular location mentioned in the order were the wrong ones, and I have corrected it. I ask a suspension of the rule.

The order was passed under a suspension of the rule.

PAYMENT TO WILLIAM SEGAL.

Coun. GILBODY offered an order—That under the provisions of chapter 536 of the Acts of 1922 there be allowed and paid to William Segal the sum of \$2,500, to compensate him for injuries sustained on account of being burned while working as an inmate in the laundry of the Rainford School for Boys, said sum to be charged to the Reserve Fund.

Passed under a suspension of the rule.

RECESS TAKEN.

The President declared the Council in recess, at 2.40 p. m., subject to his call.

The members of the Council reassembled in the chamber and were called to order by the President at 4.50 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor and orders (referred today) for various transfers within department appropriations—that the orders ought to pass.

Report accepted; orders passed, yeas 9, nays 0.

2. Report on message of Mayor, communication and order (referred today) transferring \$12,000 from Reserve Fund to appropriation for Bridges, Repairs—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

3. Report on message of Mayor, communication and order (referred today) for transfer of \$5,000 from Reserve Fund for appropriation for Public Celebrations—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

4. Report on order (referred July 24) to accept chapter 207 of the Acts of 1922 relating to the Atlas Construction Company—that the order ought to pass.

The report was accepted.

Coun. DONOGHUE moved that the order lay on the table. The motion was declared lost.

Coun. DONOGHUE doubted the vote and the order was laid on the table, yeas 5, nays 4, the vote being:

Yeas—Coun. Brickley, Donoghue, Lane, Moriarty, Walsh—5.

Nays—Coun. Ford, Gilbody, Hagan, Watson—4.

5. Report on message of Mayor and order (referred July 24) for appropriation of \$45,317.85 for County of Suffolk—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

6. Report on message of Mayor, communication and order (referred July 24) for transfer of \$32,000 for Municipal Building, Old Ward 12—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its final reading not less than fourteen days from date.

7. Report on message of Mayor and order (referred July 24) for additional appropriations for the Law and Treasury Departments, totaling \$5,150—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

PARKMAN FUND.

Coun. HAGAN, for the Committee on Parkman Fund, submitted the following, viz.:

1. Report on message of Mayor, communication and order (referred July 24) for appropriation of \$2,500 from Parkman Fund income for walks on the Common—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

2. Report on message of Mayor, communication and order (referred July 24) for appropriation of \$10,000 from Parkman Fund income for improvement of Charlesbank Gymnasium, Athletic Field—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

3. Report on message of Mayor, communication and order (referred July 24) for ap-

propriation of \$50,000 from Parkman Fund income for Fens, Improvements—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

FINANCE.

Coun. LANE, for the Committee on Finance, submitted a report on message of Mayor and order (referred July 11) for loan of \$250,000 for establishment of building line on Province street—that the order ought to pass.

The report was accepted and the question came on the passage of the order.

Coun. LANE—Mr. President, I cannot vote for this order. I beg to differ with his Honor the Mayor as to the advisability of widening Province street at this time. Province street at best can only be an alleyway, even though you widen it to fifty feet. It runs between two streets, School and Bromfield, neither of which is a large business street in the ordinary acceptance of the term as used here in Boston. The Mayor has told us that it is going to relieve congestion. His Honor is mistaken. It is going to cause greater congestion to put that street through. At the present time the corner of Tremont and School streets is one of the most congested parts of the City of Boston. School street is a one-way street, and when traffic is sent down School street it does not now stop until it gets to Washington street; but if you widen Province street it makes another right-hand turn, and before half the traffic coming down School street can enter the street at Tremont there is a block at Province street. The same thing is true of Bromfield street. Traffic goes one way—up Bromfield street. Half-way along Bromfield street there will again be a turn. And there will be no good end served. Bromfield street, like School street, will remain a bad street for traffic. So far as th's plan opening up the retail section of the City of Boston is concerned, that is absolutely absurd. If we want Boston to grow we should push it out toward Park square. The trouble with Boston has been that everybody wants to do business in a small space, in a store somewhere between Boylston street and Scollay square. The congestion must be relieved; business must be pushed out. Relief certainly cannot come by increasing the present congestion of School and Bromfield streets. If some comprehensive plan might be adopted for an artery paralleling Tremont and Washington streets as far along as Boylston street, I might be with it. But that would be a different thing. I certainly cannot see how the Council can agree with this proposition. We advertised our hearing, sending notices to the Chamber of Commerce, the Central Labor Union, the Massachusetts Real Estate Exchange, the Boston Real Estate Exchange, and editors of the Boston newspapers. How much did we hear in favor of the project? His Honor the Mayor has given his views; the Boston Real Estate Exchange sent a letter here saying they were opposed to it unless the widening was continued to Boylston street. The Central Labor Union had taken no action, but a representative, I think the business agent, said he thought he would favor it because it would mean work for mechanics and laborers. The Massachusetts Real Estate Association and the Chamber of Commerce took absolutely no notice of the meeting. Two of the newspapers have been out editorially giving good reasons why the project should not go through. Another paper has come out somewhat lukewarmly in favor of it, but I cannot see that the public of Boston demand anything of the kind. I wish to be recorded as against the proposition.

The order was passed, yeas 6, nays 3.

Yeas—Coun. Brickley, Donoghue, Ford, Moriarty, Walsh, Watson—6.

Nays—Coun. Gilbody, Hagan, Lane—3.

The order will take its final reading not less than fourteen days from date.

HERBERT LYONS SQUARE.

President BRICKLEY offered an order—That the open space at the junction of Shawmut avenue and Dedham street be named Herbert Lyons square, in memory of said Lyons, who died in the service of the United States during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

EDWARD McNAMARA SQUARE.

President BRICKLEY offered an order—That the open space at the junction of Washington and Waltham streets be named Edward McNamara square, in memory of said McNamara, who lost his life in the service of the United States during the World War, and that suitable signs be erected to mark the square.

Passed under a suspension of the rule.

PLAYGROUND, BALDWIN PLACE.

President BRICKLEY offered an order—That the sum of \$70,000 be appropriated to be expended by the Park Commissioners for playground, Baldwin place, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, on the request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount.

The rule was suspended and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its final reading not less than fourteen days from date.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 to 6, inclusive, viz.:

Action on appointments submitted by the Mayor July 24, 1922, viz.:

1. Thomas F. Coffrey, Jr., Marc'ian DiStasio, Jacob A. Frischberg, Bronis Kontrim and Charles L. PPerriello, to be Constables.

2. Robert B. Harlow, John C. McDougald and Andrew Millington, to be Weighers of Coal.

3. Winthrop E. Sibley, to be a Measurer of Wood and Bark.

4. David Kaplan, to be a Measurer of Leather.

5. Herbert T. Wcst, to be a Gauger of Liquid Measurs and a Weigher of Goods.

6. Patrick J. Cummings, to be a Weigher of Goods.

The question came on confirmation. Committee—Coun. Ford and Walsh. Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

INVESTIGATION OF SUPERIOR CRIMINAL COURT OFFICES.

Coun. MORIARTY offered an order—That a committee of the City Council of Boston be hereby authorized to investigate the office of the Superior Criminal Court, and to give public hearings during said investigation and have the same reported; the expense attending the same to be charged to the appropriation for City Council, Incidental Expenses.

Passed under a suspension of the rule.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.08 p. m., on motion of Coun. MORIARTY, to meet on Monday, August 7, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 7, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

The following were received:

City of Boston,
Office of the Mayor, August 7, 1922.
To the City Council:
Gentlemen,—Subject to confirmation by your honorable body, I appoint William A. Cohen, 23 Temple street, Boston, and Corrado Palladino, 15 Sheafe street, Boston, to be constables of the City of Boston for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of the Mayor, August 7, 1922.
To the City Council:
Gentlemen,—Subject to confirmation by your honorable body, I appoint the following named persons Weighers of Goods for the term ending April 30, 1923: Cedric C. Lee, 227 Bradford street, Everett; John L. Rounsevell, 48 West street, Braintree; Richard L. Grey, 636 Tremont street, Boston; Albert West, 168 Bradstreet avenue, Beachmont; Carl G. Braun, 262 Bowen street, South Boston.

Respectfully,
JAMES M. CURLEY, Mayor.
Laid over under the law.

MOTOR AMBULANCES.

The following was received:

City of Boston,
Office of the Mayor, August 7, 1922.
To the City Council:
Gentlemen,—I transmit herewith communication received from the Superintendent of Public Buildings requesting a transfer of \$2,000 to provide motor ambulances and equipment for the South Boston Ambulance Station, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
August 1, 1922.

Hon. James M. Curley,
Mayor of Boston:
Dear Sir,—On May 26, 1922, the Public Buildings Department made a request for a transfer from Reserve Fund in the sum of \$3,060 for furnishing motor vehicles and equipment for the motorization of the ambulance station, South Boston. At that time the idea was to procure a Ford one-ton chassis. In obtaining figures for furnishing same, I discovered the fact that the Ford chassis were not heavy enough to do the work as called upon by the ambulances located in our station, and therefore it will be necessary to procure some other style of make.

I have looked into same thoroughly and find that the Reo chassis is the one desired, but it will cost somewhat more than we figured on paying for the Fords. I therefore request a further appropriation to be credited to C-4 Equipment, Motor Vehicles, in the sum of \$2,000.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer from the appropriation for Reserve Fund, \$2,000, to the appropriation for Public Buildings Department, C-4, Motor Vehicles, \$2,000.
Referred to the Executive Committee.

TRANSFER, STREET LAYING-OUT DEPARTMENT.

The following was received:

City of Boston,
Office of the Mayor, August 7, 1922.
To the City Council:
Gentlemen,—I transmit herewith request for transfer within the department appropriation and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Street Laying-Out Department,
August 4, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—The Board of Street Commissioners respectfully requests that the following transfer be made within the maintenance appropriation of the Street Laying-out Department for the current year:
From Chairman, 1 at \$4,500, to B-39, General Plant, \$500.

A number of new one-way streets for vehicular traffic have been made by the Board this year. A very large part of the General Plant appropriation has been expended for traffic signs for these streets and the Police Department has made unusually large demands for new signs to replace old ones. It still needs more to place on streets where special regulations are in force. The \$500 for which this transfer is asked is needed for the purpose of supplying new signs and replacing others that are out of repair, as we are unable to complete the year with the balance of the General Plant appropriation.

Respectfully yours,
JOSEPH F. SULLIVAN, Secretary.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Street Laying-Out Department:

From the appropriation for A-1, Permanent Employees, Chairman, 1 at \$4,500 per year, \$500, to the appropriation for B-39, General Plant, \$500.

Referred to the Executive Committee.

SALE OF CITY LAND, HYDE PARK.

The following was received:

City of Boston,
Office of the Mayor, August 2, 1922.
To the City Council:
Gentlemen,—I am in receipt of the accompanying report of the municipal real estate expert with reference to land at Hyde Park, formerly known as the Fairmount Reservoir land, located on Milton avenue near Reservoir street, a portion of said land containing 73,430 square feet being in Milton and 121,948 square feet in Hyde Park. The city being unable to utilize this property for water or other purposes I recommend the adoption by your Council of an order in conformity with the recommendation made by the municipal real estate expert.

Respectfully yours,
JAMES M. CURLEY, Mayor.

30 State Street, Boston, August 2, 1922.
Hon. James M. Curley,
Mayor of Boston:
Dear Sir,—In pursuance of your communication of July 21, 1922, relative to the sale of

the Fairmount reservoir land located in Milton and Hyde Park, I submit the following report:

Mr. James W. Rollins, whose estate adjoins the reservoir land, made an offer of \$5,500 in 1915 for the property, agreeing to allow the city to reserve a right of way from Milton avenue to the standpipe, and I rendered the following report:

December 14, 1915.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I herewith inclose a communication from James W. Rollins of 6 Beacon street, in which he offers the City of Boston \$5,500 for its land in Milton and Hyde Park, located on Milton avenue near Reservoir street, adjacent to land owned by him.

He will allow the city to reserve a right of way from Milton avenue to the standpipe, which holds, excepting in winter, an auxiliary supply of water for fire purposes.

I showed Mr. Rollins a memorandum of title, which I inclose, and he is satisfied to purchase subject to the conditions therein. Mr. C. F. Day and Miss E. M. Taylor of the Law Department are of the opinion that there are no restrictions on this land, but this is merely a conjecture as to what the decision of the court would be, if any action were brought in court. The restrictions as to the dwelling houses and maintenance of Milton avenue they hold to be purely personal covenants of Newsome, and not applying to his assigns.

The lot contains 195,378 square feet, as follows: 73,430 square feet in Milton; 121,948 square feet in Hyde Park. It is assessed for 4 cents a foot (about \$1,750 an acre), making a total valuation of \$7,815.15, and is worth about \$6,500.

Good land in this vicinity sells for about \$2,000 an acre, but as the reservoir indicated on the inclosed blueprint will have to be filled in at considerable cost, the land graded, and much of it used for new streets, in addition to being divided by the standpipe and the right of way from Milton avenue, I consider Mr. Rollins' offer of \$5,500 (approximately \$1,200 an acre) a fair one for the lot, and advise that it be sold at public auction at an upset price of \$5,500.

I inclose also letters from the Public Works and Assessing Departments, and snapshots of the reservoir and standpipe.

Respectfully yours,
JOHN BECK.

I understand, however, that the city has no further use for the standpipe, so that now the land can be sold without being divided by the proposed right of way. Therefore Mr. Rollins agrees to pay the city \$7,500 for said land, allowing the city to either remove the standpipe, or sell it at public auction, with the stipulation that it be removed by the purchaser within a reasonable time from the premises.

There has been no demand for land in this vicinity for speculative or development purposes.

Mr. Rollins is the logical purchaser.

I consider his offer a fair one, and as the city has no further use for the land I advise that it be sold at public auction at an upset price of \$7,500.

I inclose plans, also communications from Mr. Rollins, Mr. John C. Kiley, and the Public Works Department, relative to said land.

Respectfully yours,
JOHN BECK.

Ordered, That the Public Works Commissioner be authorized to sell at public auction land of the City of Boston located at Hyde Park and containing approximately 195,378 square feet of land, known as the Fairmount Reservoir land, at an upset price of \$7,500 for the land, and be it further ordered that the Public Works Commissioner be authorized to invite proposals for the razing and removal within a reasonable length of time the standpipe upon the Fairmount Reservoir land.

Referred to the Committee on Public Lands.

SALE OF PIGS.

The following was received:

City of Boston,
Office of the Mayor, August 7, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication received from the Institutions Commissioner, requesting authority to sell pigs at the House of Correction, Deer Island, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Institutions Department, August 2, 1922.
Hon. James M. Curley,

Mayor of Boston:
Dear Sir,—Permission is respectfully requested to sell 100 small pigs, exceeding \$500 in value, located at the House of Correction, Deer Island.

If we are permitted to make the sale before August 10 a saving of 50 cents each for treatment may be effected. I am today requesting the Superintendent of Supplies to secure bids for the disposal of those pigs.

Very truly yours,
DAVID J. JOHNSON, Commissioner.

Ordered, That the Superintendent of Supplies be and hereby is authorized to sell pigs belonging to the Institutions Department exceeding \$500 in value.

Passed under a suspension of the rule.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Samuel Becherman, for compensation for damage caused by an automobile of the Water Division.

Sarah A. Burns, to be paid for clothing lost by her son while a patient at the City Hospital.

Mrs. John J. Cadigan, to be paid for the loss of her son Joseph, who was drowned at Rainsford Island.

Margaret Chisholm, to be paid for injury to her hand crushed in door at the Mary Hemenway School.

J. R. Cox, for compensation for damage to car by a street cleaning wagon.

John Collins, for compensation for damage to automobile on East Boston Ferry.

Charlotte Danton, for compensation for injuries caused by a defect at 356 East Eighth street.

William W. Donovan, for compensation for damage to automobile by fire apparatus.

General Motorcycles Sales Company, for rebate for unexpired term of license.

Victoria Hellar, for compensation for injuries caused by a defect at 320 Harrison avenue.

Marion Hickey, for a hearing on her claim against the city.

A. Kopel, for compensation for damage at 115 Saem street caused by fire apparatus.

Peter E. McCauley, for compensation for damage to automobile on East Boston Ferry.

Annie McDermott, for compensation for injuries caused by a fall on Washington street.

A. G. McKinnon, for compensation for damage to automobile by a city car.

Esther R. Cadegan, for compensation for damage to clothing caused by paint at Marine Park.

William T. Cummings, for compensation on account of money lost at Columbus Park, South Boston.

E. V. E. Parke, for compensation for injuries received from fall on Boylston street.

Carl E. Dorr, for compensation for damage to automobile by city team.

Executive.

Mt. Lebanon Cemetery Association, for permission to use certain land on Baker street for burial purposes.

Petitions for sale, etc., of firearms, viz.:
 S. Eugene Proctor Company, 163 Washington street, Ward 5.
 Mark Nelson, 359 Columbus avenue.

ACTION ON RETIREMENT BILL.

The following was received:

Boston Central Labor Union,
 August 7, 1922.

To the City Council:
 Gentlemen,—The Boston Central Labor Union at a meeting on August 6 voted to request that your honorable body take no action on the retirement bill now pending before you.

Respectfully yours,
 P. H. JENNINGS,
 Business Representative.

Placed on file.

RETIREMENT ALLOWANCES.

The following was received:

Finance Commission,
 Boston, August 5, 1922.

To the Honorable the Mayor and City Council:
 Gentlemen,—There is now pending before you for approval chapter 521 of the Acts of 1922, entitled "An Act Providing Retirement Allowances based on Annuity and Pension Contributions for Employees of the City of Boston or of the County of Suffolk."

There are now in force in the City of Boston and County of Suffolk ten different pension systems, to which those who are eligible to become beneficiaries make no contribution whatever. These systems provide for firemen, policemen, school teachers, laborers, school janitors, school attendance officers, judges, court officers, probation officers and veterans of past wars. They include about one half of the 16,000 employees of the City of Boston and the County of Suffolk.

The employees of the city or county for whom no pension benefits are provided are the clerks of courts and the clerical, engineering, library, investigative and inspection forces.

In addition to these ten systems many special legislative acts have been passed, each one of which provides for an individual pension.

These individual pension acts enable the city government to use public funds for the payment of individual pensions. In recent years the city government has invariably approved the payment of pensions in these special cases. The result is a rapidly growing class of individual pensioners based on no uniformity in the character or amount of service, but upon the ability of the beneficiary to procure enabling legislation and thereafter the approval of the city government. The inequity of this procedure consists not so much in the benefits conferred upon individual pensioners as in the neglect of many equally entitled to pensions who lack ability to secure special legislation

and in the failure to provide for the large group of employees for whom no pension system exists.

This year the City of Boston will pay approximately \$750,000 in pensions under the above mentioned systems and acts. The ultimate cost to the City of Boston of the present pension systems is not known. The rate of increase for the past ten years indicates that even if no other class of public employees is added, these systems will cost the city ten years hence over \$1,500,000. Nor will this amount represent the peak of the cost. It will continue to increase indefinitely.

With this should be considered the cost of retaining in the service the 278 employees who are now over 70 years of age to whom the city pays annually \$446,000. There are also about 1,200 employees between 60 and 70 years of age. Many of these are necessarily unable to render efficient service. The retention of such employees produces dissatisfaction because it prevents the advancement of younger and abler persons, stifles ambition, slows down activity and necessitates increasing the number of employees in every grade of service.

Chapter 521 of the Acts of 1922 takes care not only of all future employees on a contributory basis, but also the past and present employees on the basis of the present systems, namely, noncontributory. It is optional for all present employees; they may retain unpaired all advantages of existing systems, or they may come under the provisions of the new system, in which case the city meets the entire expense of the contributions that they would have made if the system had been in effect when they entered the service.

The cost to the City of Boston to cover all future employees of the city and county on a contributory bases of 4 per cent of the salary is as follows:

Firemen	\$122,716
Policemen	133,087
Teachers, men	50,834
Teachers, women	160,831
Clerks	79,412
Laborers	196,864
Total	\$743,744

The cost to the city on account of present employees will depend entirely upon how many of them join the proposed system.

What a given employee in any department of the city will receive as a retiring allowance under the pending system will depend upon how long that individual has worked for the City of Boston when he retires and the age at which he retires.

At the age of 60 or at any age between 60 and 70 he will be retired at his own request or at the request of the head of his department; he must retire at age 70.

The following table gives the annuities expressed as percentages of the average salary of the last five years of service which will be provided at the ages of retirement shown. In addition to these annuities an employee will receive a pension of an equal amount but the pension is limited to one half final average salary.

CLERKS.

AGE AT ENTERING SERVICE.	MEN. Retirement Age.			WOMEN. Retirement Age.		
	60	65	70	60	65	70
	20 years.....	27.93	41.61	63.15	24.77	36.46
30 years.....	19.11	21.26	45.32	16.95	25.64	39.16
40 years.....	11.03	17.95	28.98	9.79	15.73	25.04
50 years.....	4.65	9.01	16.07	4.12	7.90	13.89

LABORERS.

AGE AT ENTERING SERVICE.	MEN. Retirement Age.			WOMEN. Retirement Age.		
	60	65	70	60	65	70
	20 years.....	31.96	47.79	72.39	31.00	45.47
30 years.....	20.50	31.57	48.87	19.88	30.03	45.57
40 years.....	11.37	18.64	30.14	11.03	17.74	28.11
50 years.....	4.71	19.21	16.48	4.57	8.77	15.36

FIREMEN.

POLICEMEN.

AGE AT ENTERING SERVICE.	Retirement Age.			Retirement Age.		
	60	65	70	60	65	70
	20 years.....	30.93	45.83	69.40	31.19	44.60
30 years.....	21.11	32.21	49.85	20.93	30.87	46.20
40 years.....	12.30	19.99	32.32	12.17	19.14	29.95
50 years.....	5.31	10.30	18.41	5.26	9.90	17.14

TEACHERS.

AGE AT ENTERING SERVICE.	MEN. Retirement Age.			WOMEN. Retirement Age.		
	60	65	70	60	65	70
	20 years.....	29.36	41.59	61.01	25.91	37.77
30 years.....	19.76	28.89	43.37	17.19	25.82	39.17
40 years.....	11.62	18.11	28.40	9.96	15.91	25.17
50 years.....	5.10	9.48	16.41	4.24	8.60	14.08

The Finance Commission recommends the acceptance of this act to accomplish the following purposes:

1. To enable the city and county to improve the service and efficiency of their employees by retiring with equitable allowances those who have become superannuated or disabled.
2. To distribute equitably to all employees of the city and county such public funds as are appropriated for pension purposes.
3. To establish a pension system for all employees of the City of Boston and of the County of Suffolk on a basis that is actuarially sound and economically defensible.

Respectfully submitted,
 THE FINANCE COMMISSION,
 MICHAEL H. SULLIVAN, Chairman,
 JOHN F. MOORS,
 COURTENAY GUILD,
 J. WALDO POND.

Placed on file.

INVESTIGATION OF SUPERIOR CRIMINAL CLERK'S OFFICE.

The following was received:

The Finance Commission,
 Boston, August 4, 1922.

To the Honorable the City Council:
 Gentlemen,—It appearing from the public press that an order was passed by the City

Council providing for an investigation by your honorable body of the office of the Clerk of the Superior Criminal Court, I am taking the liberty of calling to the attention of your honorable body an opinion of Thomas M. Babson, Esq., a former corporation counsel of the city, dated April 15, 1911, to the effect that the City Council is without power to make such an investigation.

I inclose a copy of the opinion. It is printed in the City Council Minutes of 1911, page 118.

Respectfully submitted,
 MICHAEL H. SULLIVAN,
 Chairman.

POWER OF THE CITY COUNCIL TO INVESTIGATE.

The following was received:
 Law Department, Boston, April 15, 1911.
 To the Honorable the City Council:

Gentlemen,—There have been referred to me two orders offered by members of the City Council, one providing for an investigation of the bids submitted for the reconstruction of the wardroom in Ward 8, and one providing for an investigation of the Building Department, both investigations to be made by committees of three members of the City Council. I am requested by your honorable body to give my opinion as to the power of the City Council to make such investigations.

In my opinion the City Council has no au-

thority to make such investigations. By chapter 486 of the Acts of 1909 the duty of making such investigations has been taken away from the City Council and given to the Finance Commission by sections 18, 19 and 20 of said chapter. The investigating powers of the City Council under the charter amendments are those given to it by section 7 of the charter amendments. Any action taken under that section must be by the City Council and not by a committee thereof.

Yours respectfully,
THOMAS M. BABSON,
Corporation Counsel.

Placed on file.

NOTICE OF CONTRACT.

Notice was received from J. Waldo Pond, Park Commissioner, in accordance with law, of interest in contracts in school and City Hall Annex work.

Placed on file.

TRACK LOCATION.

Notice was received from the Street Commissioners of granting of track location on Central avenue to Walter Baker & Co., Limited.

Placed on file.

SALE OF UNCLAIMED BAGGAGE.

A petition was received from the Boston & Maine Railroad asking leave to sell unclaimed baggage.

Referred to the Committee on Unclaimed Baggage.

WATER SUPPLY, GROVE STREET GROVE, ETC.

A communication was received from the Germantown Citizens' Association requesting the installation of a water supply in Grove Street Grove and West Roxbury Highlands.

Placed on file.

TEMPORARY SOLDIERS' RELIEF COMMISSIONER.

Notice was received by the City Clerk from the Mayor of appointment of Charles J. Fox as temporary Soldiers' Relief Commissioner.

Placed on file.

STREET RAILWAY POLICE.

Notice was received from the Boston Elevated Railway Company (in accordance with law) of appointment of railway police.

Placed on file.

SIDEWALK ORDERS.

Coun. GILBODY offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Leonard street, from Adams street to Clayton street, Ward 18, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along Fairland street from No. 2 to No. 12, Ward 12, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along 15, 17, 19, 21 Boylston street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.34 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.13 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor, communication and order (referred today) for transfer of \$2,000 from Reserve Fund for Motor Vehicles, Public Buildings Department—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

2. Report on message of Mayor, communication and order (referred today) for transfer of \$500 for Street Laying-Out Department—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

3. Report on communications from Street Laying-Out Department (referred July 24) giving notices of hearings on petitions for storage and sale of gasolene—that the same be placed on file.

Report accepted; communications placed on file.

4. Report on order (referred June 12) accepting chapter 521 of the Acts of 1922 relative to retirement system—that the order ought to pass.

The report was accepted, and the question came on the passage of the order.

Coun. WATSON.—Mr. President, this bill that we are asked to enact into form today has been before this Council as long as any measure I can remember that has been before it in any shape or manner. Each and every member has conscientiously sat here in this chamber and heard all those who desired to be heard on the proposition, both for and against. Learned, capable gentlemen on both sides have furnished us with information which they had at hand, for us to use in guiding our minds to the proper solution of this proposition. One thing I have noted concerning it all through the hearings up to now—and I trust that when we have taken our concluding act upon it everything will have been in the friendliest of spirit—is that there have been some strong statements made concerning some of the sponsors of the measure. I will not take issue with that gentleman, or the gentlemen, who take that position because their position concerning that particular matter may be absolutely correct, and of course he or they will act according to their best judgment after having heard all the information that we could secure on the subject. I will admit in the beginning that this bill is not a perfect measure. There never was an advance step taken in any movement that was perfect, or with results that were perfect. As long as humans act in the matter of drawing bills and securing legislation, as long as they pen a word or a letter, there will be those who can come along and improve upon that particular missive, or act, or letter. I want to say—and I know that the councilor opposite, who is my friend, will agree with me—that I am not actuated in my position here today because of any desire to play favorites with the Finance Commission, but he certainly must agree with me that I am

right when I state that I am not taking this position in order to be befriended by any political civic organization that may have to do with candidates for public office, with their indorsement or their denunciation. I am taking this position independent of any advice from the Finance Commission or the Good Government Association. No member of this body ever stood on the floor of this Council or on the public platform that has said stronger things concerning the Good Government Association and the Finance Commission and its membership than I have; and after fifty-two years in this world, and after a considerable number of years' membership in this body, I have never yet taken back, nor do I desire to take back, one word that I have said concerning the Good Government Association, the Finance Commission, or its membership, now or those that I may have attacked. And I know that the gentleman had no reference to me when he suggested that I should not line up, as I would line up today, with three members of the Good Government Association. I believe it is my duty, if I can do that which is right and proper according to my conscientious judgment, to align myself with those whom I consider my inferiors. In the great war that was fought across the sea, the man who shouldered a gun and took his place in the trenches did not select his position there because of the inferior quality of a comrade, or his better quality, for that matter. He took his position there because he believed his duty demanded that he take it there. And while it may be a far step from the great World War to our action here today, nevertheless there is something akin concerning it. I would not care today if I stood alone on this proposition. I believe I am right. If I am wrong, then I am only human. If I am right, I am glad of it. If I was right on everything I would be superhuman, but I am just an ordinary poor mortal like my fellow members. The fact that some will draw large benefits from this proposition shall not, ought not, and will not deter me from performing my duty towards those who derive no benefit under the present system of pensions. If a better bill could be drawn by killing this, then, by the same token, perfecting amendments can be secured to improve it. I do not deny that the amount paid to the scrubwoman under this measure is altogether too small, but we cannot improve it. It may be that some of the masters in the schools will receive too much, but, after all, those two are merely but items of detail in this great proposition we are considering. Think of the elevators, think of the carpenters and the blacksmiths, the deckhands, and all the rest. I might go on indefinitely and refer to those who do not receive any pension. Only this day I had an old gentleman come to me who has served a great many years as paymaster, and he asked me if I would listen to his plea concerning the pension act, and I told him frankly that I was for it, independent of what his position was, because I thought I had the fullest information on it. Then I thought that under the act he would receive a bountiful pension but that as he went tottering out of the office of the Clerk of Committees I said that that old gentleman, according to the law of averages of nature, would draw his pension, if he receives it now, at once, but a short time. That is true of many more. Now about the 108 members in the School Department about whom Councilor Donoghue spoke who will receive benefits and retire immediately under this act. That may be true, and I do not question it. The question is how long will they remain beneficiaries. That depends upon the Great Almighty. But there is another element that enters into it. There are a great many of our youths and girls who are seeking employment, and the field for their employment is limited. By the natural process of elimination, if those 108, if that is the number he spoke of, go out, 108 must be advanced to their positions, and there will be a movement all down the line to the bottom until 108 new employes come into that department. So it is in the Street Department—in all the departments. As soon as one goes out another

comes in, and therefore employment is going to be increased in that way. I have been handed a memorandum from somebody concerning amendments to the act, but not being conversant with it I would rather not touch upon it, and I prefer that whoever handed it to me should discuss it from the knowledge they have in hand rather than have me do it because I am afraid I could not do it properly or with justice to the proposition, and further I know nothing about it. Now, Mr. President, I think I am doing right. What more can man do "Do the best you know how under the circumstances that confront you." I believe we are doing right in considering it today, whether we pass it or not. And I did not know when I got up to suggest that it be reported back today whether there was more than one vote than my own for it or not, and when Coun. Moriarty sized up the situation as being 6 to 3, I did not hesitate to believe that he was correct, because he must have been canvassing. Mr. President, I do not want to detain the Council longer. Somebody had to start the ball rolling, and I did it. I sincerely trust that our action here today will be the proper action, and I have in mind all the time something I am told by those who are interested in my conduct and in my career and my actions, that, after all, majorities with individuals can always be decided on this principle: God and one are a majority, and if you have your own opinion on your side and you believe you are doing your duty, and God prescribes you should do it, then to me that is a majority, and if today eight members vote "No" and I vote "Yes," I will still say that, to me, I am in the majority. I am glad, Mr. President, that there has been no rancor, and that we have not lost our heads over this proposition. We haven't. I think today we stand here, independent of our action, as a body of nine members who are entitled to the respect of this community for our sincerity of purpose in this measure. We have given it the very best attention in us. We have not attempted to stop one single person who desired to be heard. We have given up our business; we have met with many inconveniences in being here in this warm weather. We adjourned, as we were entitled to adjourn, to have a little recreation in the summer time; but we came in and got busy and in the warmest days we have sat here and listened attentively, each and every one of us, to every person who has appeared here for and against this proposition. And I am satisfied, as I must be—whether I must be or not I will be satisfied—that whatever action we take here today will be the best for all concerned. I sincerely trust, Mr. President, that while my words are rather lengthy and rambling, they at least have disclosed for the record my purpose to vote right on this measure, and my reasons for voting, as I shall, God willing, "Yes," and that perhaps I have conveyed to my colleagues some information that may be of benefit to them in reaching a conclusion as to their votes on the measure ultimately.

Coun. MORIARTY—Mr. President, I am going to read from this that I received in an envelope, supposing that it came from the Finance Commission:

"This year the City of Boston will pay approximately \$750,000 in pensions under the above mentioned systems and acts. The ultimate cost to the City of Boston of the present pension systems is not known. The rate of increase for the past ten years indicates that even if no other class of public employes is added, these systems will cost the city ten years hence over \$1,500,000. Nor will this amount represent the peak of the cost. It will continue to increase indefinitely."

I want to say that whoever wrote that and signed their signatures to it do not know what they are taking about. Judge Sullivan made the statement before the Executive Committee some months ago that if there was not some pension bill carried through the city would be bankrupt. Now he has brought it down that it will cost \$1,500,000 in ten years,

and that is somewhat different from bankruptcy so far as the City of Boston is concerned.

"With this should be considered the cost of retaining in the service the 278 employees who are now over seventy years of age to whom the city pays annually \$446,000. There are also about 1,200 employees between sixty and seventy years of age. Many of these are necessarily unable to render efficient service. The retention of such employees produces dissatisfaction because it prevents the advancement of younger and abler persons, stifles ambition, slows down activity and necessitates increasing the number of employees in every grade of service."

I want to say that that, in my estimation, is absolutely the "meat" of this pension bill, that they desire to get rid of 278 employees who are over seventy and the 1,200 employees that they claim are inefficient. I want to say in my estimation that everyone of the 278 and 1,200 is more efficient than the same members of the Finance Commission. There isn't any member of this body, either present or past, since the Finance Commission has gone into vogue who can show me where they have ever saved a 5-cent piece for the City of Boston. They are exempt from the budget. They would be afraid to put in an estimate and ask that their money be allotted to them in the same way as every other department connected with the city has to do. No! They have to go to the Legislature, and the Legislature provides that we have to pay to the Finance Commission so much money yearly, whether needed or not. And in answer to one of my colleagues on the other side, who said he believed that the members of the Finance Commission had gone into this, I want to say that it is my belief that of the five members of the Finance Commission there is absolutely only one that knows anything about this bill, and that is the chairman. One of the members here has said that a committee from Local 149, which is composed of laborers in the Sanitary and Street Cleaning Departments, waited upon him. The secretary of that local, who sat in the gallery when that statement was made, called me from the room and said that no committee has ever been taken by 149 and no committee was ever appointed to wait upon any member of this body asking that this pension bill be passed. I was called from the hall, with no request of my own, by the secretary, who sat in the gallery and he informed me that there was no action of his organization, and therefore Local 149 as an organization has not requested any member of this Council to vote in favor of this pension bill. The councilor who has just taken his seat said I may have canvassed. I want to say to that that I did not canvass him, and he will admit that; so I did not know how he was going to vote, any more than from his actions before the Council. And I did not even request any member of the Council what way they were voting. I took it from their attitude in the Council, and anybody that could not judge from their attitudes how they are going to vote must have been very dull. I stated a month ago, practically after the first hearing that was held here, that the vote, at that time in my estimation, would be 7 to 2, and from later developments it turned out to be 6 to 3. Of course I may be a keen observer. The only one I can thank for that is the Almighty. But let me say to you this: We spent \$9,000 for an investigation on a pension bill, and the Finance Commission has not thought well enough of this Council even to give them a report of the money that they spent. I do not say that Judge Sullivan lied deliberately, but I say that Judge Sullivan lied when he came to the Executive Committee asking for an appropriation and telling this Council that he would give us a report before the bill was filed. I said that Coun. Lane agreed to that. He was not here when I made the statement before. Coun. Ford has come to me since I made the statement in executive session, and he agrees that Judge Sullivan made that promise to the Council. I say to you that something is being pulled over, and it is being pulled over, unfortunately, on the city

employees. And I say to Coun. Gilbody, did he ask any city employees when they requested him to vote for it what they were going to get? I think I know as many city employees as almost anybody here, and there is not one city employee who has been able to tell me what he was going to get on retiring at 60 years. They do not know what they are going to get, and when they go down to the treasurer's office, as Coun. Donoghue has said, and the city gives them 37 cents a day for past services, what are they going to think of you and me. Of course, the schoolmasters took good care of themselves. When that schoolmaster was here I asked him how much salary he was getting, and he said \$4,700 a year, I think; and I asked him what he was going to get, and he said he would get approximately \$2,000. So these figures here on this slate must be pretty near right. He admitted that he was one of the committee, or that he sat in with the committee. The master of a school, after twenty-nine years' service, gets \$2,200, or 46 per cent. Coun. Hagan said that they paid him 4 per cent. Of course they pay him 4 per cent. A man getting \$4,700 is able to pay in 4 per cent. But a man getting \$24 a week has to pay 93 cents per week. That is what he has got to pay—93 cents per week. Why didn't they go farther? The veteran is excluded. The veteran gets, if he is a schoolmaster, \$2,200, without paying anything in. If the veteran is a laborer and works thirty years, he gets \$305, or that approximately. These figures are not right. The veteran is exempt from this. I do not say that the veteran is not entitled to it, and if he is entitled to anything he is entitled to more. The scrubwoman, after twenty-six years, gets \$134.52 a year, approximately. A fine Christmas present to give! The poorhouse staring her in the face! Of course, they do not call it the "poorhouse" in these days. They changed it. That word has been changed because it sounded too harsh, and they name it the "almshouse" now, but it is the same old poorhouse. There is no better treatment. There is the same service. And that is the only thing that is faking the laborer. Yes, and I may say the clerk. Of course I don't know what salary this clerk was getting, but I believe that there are a lot of clerks working for the city twenty-seven years that won't get \$537.69. But the percentage tells. The clerk gets 29 per cent. The laborer, after twenty-six years' service, gets 23 per cent. Another laborer, after thirty years, gets 24 per cent. Another one, thirty-two and one half years, gets 32 per cent. The janitor 19 per cent the scrubwoman 17 per cent; and the master of the school 46.5 per cent! I feel that the schoolmaster is entitled to 46 per cent. So is everybody else. I do not think that his work is any more dangerous than that of the elevatorman. I do not think that his work is any more dangerous than that of a scrubwoman. I do not think that his work is any more dangerous than that of a laborer. And of course if this pension bill is for service rendered, the small-paid people are not being given much consideration. I have said some harsh things. I feel that I have been justified in saying those harsh things, and when I feel that I am justified in saying them I say them. Everything I have said about the Finance Commission I reaffirm—not only what I have said today but what I have said in the past; and I feel that February next the members of this Council who sit here to go into the budget will find that the Finance Commission, through this Retirement Board that is going to be formed, will cut approximately 1,200 or 1,400 employees at the age of 60-70 from the pay roll. I make that prediction today—that that will be a recommendation from the Retirement Board, through their emissary, the Finance Commission. Of course, there has not been a word said, but I wonder who is going to get all the good jobs on the Retirement Board. I wonder if some of those people that are the "pets" of the School Committee that sat here, that did not go along with the vote of their own organizations, I wonder if they are going to be the ones who

are going to get those good jobs? And I will say to you this, that if they get those good jobs there won't be any of them that will go out on a pension of \$287, \$305, or \$134. I suppose, working on the adage "Take care of your friends," the Finance Commission are going to take good care of their friends. There may be some members of the Council that may be taken care of for voting "yes." I don't expect to! Because I can't be taken care of now by any of the heads of departments. They won't do much for me. I feel that if there was ever a curse, and I believe that there are only two curses in so far as city employees are concerned, the first one being when they went to work for the city, the second curse will be when this Council by vote today accepts this pension bill, which curse will be put on to every employee who enters the service after a certain date. I believe that you are putting something on them for which every city employee other than those getting a fair salary will condemn this Council. And I have had some friends speak to me. One of the councilors has said he had a paymaster speak to him. Well, I don't believe in sacrificing many for a few, and I believe that when we put this bill through that is all we are doing. If I was working in the City Treasurer's office for thirty years and a pension bill was up here, I would be up here asking the members of the Council to vote for it, or if I worked in any other department and was getting the salary that that same man is getting that asked Coun. Watson to vote for it, I would be up here advocating it. But it is a selfish proposition in so far as that man in the treasurer's office is concerned. He does not care for the 16,000 other employees as long as he is taken care of. I would rather see it abolished. In preference to accepting this, I would vote to abolish every pension system in Boston, firemen, policemen, and every other department that comes under a pension system, before I would vote to accept this act. I would rather start anew. There is my feeling against this act. Contributory! And a percentage. I will say that I have no feeling in so far as the members of the Council are concerned. They are here with the same right I am. I have a right to vote as I see fit. Every other member of this Council has likewise. I feel that my stand is absolutely correct. I feel if I was playing politics I would vote "yes." I believe that in a few years anybody who has voted for it will be considered an enemy of the low paid employees of the city. I believe that anybody that votes against it the city employees and the low paid city employees will have more thought of, when they go to the window and get 37 cents a day for a pension after paying 93 cents a week. They don't know, even if the man does not draw down the money that he pays, whether it will ever go to their beneficiaries or not. Nobody knows where that money is going. And I say that you have a slick bunch, and I say openly here that I see the hand, the same hand in this pension bill that has been in all of the financial bills that have entered this city. I find the keen hand of that same lot of men. "Jim" Storrow is the one who has always been able to get the likes of the chairman of the Finance Commission and bring him up on a milk bottle and then throw him out to do his bidding. And that is the unsolvable thing in this city. They have been able to do it in the past, and they are going to do it in the future—coming in here. And they hold no seats in here, and when they did hold a seat in here, when Storrow sat the first year that I had the pleasure of sitting here, he did not attend but the first and the last meetings, and he drew down his salary. And then they say that those men who work for the city for years and who have attained the age of sixty or seventy are not efficient. I ask you who is the most efficient, the man who is elected by the people to serve the people, who did not attend the meetings, or the city employee who has given his best for thirty odd years with his pick and shovel, or the scrubwomen with their brushes? Who gave the most for their money, him, with \$1,500 a year, attend-

ing those few meetings, or the laborer, whether he did a tap or not, who put in all of his time? Who did the efficient service? "Mike" Sullivan is going to be very busy. I wish he was here to hear that. Of course he can read, but I would rather he heard it because it sounds better when heard. I feel very, very set on the bill. I feel that some of the members that are voting will at some future time admit that they have helped to foster something on the city employees that they did not want.

Coun. GILBODY—Mr. President, as I said in my impromptu remarks in connection with this bill I did not intend to enter into any long dissertation in connection with its passage, either in favor or against the bill, but I feel obliged, Mr. President, to say a word here in behalf of its passage and to explain my position. It was my speech, or remark, or whatever it might be termed, before this honorable body which caused in some degree this debate, and I feel because of the importance of the bill that I should say something in connection with my vote. To the members of this body in executive session I stated briefly my position, and I stand on that same position now. I feel perfectly satisfied with it without having the assistance or the help of anybody. I do not know Judge Sullivan from a hole in the ground, and I do not know any of the bug-a-boo gentlemen who have been mentioned here this afternoon to brow-beat the bill into defeat. I would not know them if they were standing or sitting in front of me, and I say that I vote on this bill from my own initiative any my study and my personal survey of the desires of the poorer classes of people who will come under it. Now let us appreciate this situation, Mr. President. We waved the poor scrubwoman and the poor city laborer before us here, and we found what? That they are going to be benefited by this bill in a measure that is surprisingly good. Let us take now—and now is the time to consider him, not in the future, but now—let us take this poor, tottering laborer and find out after his twenty-eight years of service what he gets. His twenty-eight years in the city's service is all we can consider. He has twenty-eight years in the city's service, and he has got too old, Mr. President, and he contributes his little mite, whatever it might be, and he gets a very substantial pension annually, or retirement allowance, as it is so called in this bill. That is the true situation, Mr. President. We can't go into the future. We must take the bill as it is now, and if I am not correct I am greatly mistaken. A man now twenty-eight years in the city's service, I repeat to be plain, goes two more years. What does he get for the two years during which he contributes annually to the bill? He gets a pension of at least \$500, or approximately half, for two years' services, Mr. President. Now I maintain that there is a special privilege in connection with our present pension system. I do not believe that the policeman, or the fireman, or the school teacher should be more favored than any other employee in our city. I maintain, and I know this to be true, that the city laborer pushing the cart on the road is as much liable to accident and injury as is the fireman or the policeman, and statistics prove that that is so, that there are as many of them injured and killed as there are in the other branches which now enjoy a fat pension, and have for years, at no expense whatever to the City of Boston. Now, Mr. President, another reference has been made by an honorable member of this body in connection with the expense to the City of Boston. The main feature of the bill is this: That the person desiring a pension goes to the Legislature and unquestionably gets the legislation that he desires for a pension. He comes back here and then goes into the city treasury, without any compensation back into the treasury whatsoever; and if that system continues, as well it may, and must, where is the taxpayer going to be in ten years? Whereas now we meet a problem which is fair and equitable. I think that that bill in its every feature is one that deserves a start.

It deserves a start, Mr. President. And let us not lose sight of this fact, that nobody in the future will want to accept employment in the City of Boston. And they say, "Why?" "Because there is an awfully bad bill in connection with our pension before us." What are we going to do? We are going to have no employees if we don't take some measures to cut out the iniquitous parts of this bill, Mr. President. We must do something to get people to work for us if the system is going to be so bad. And I am in favor for another reason, that we have in the city's employ hundreds and hundreds of old men and old women who should have a pension and get young blood on the job, and in favor of this bill as one who is in position to holler as loud and long for the city employees as any other member of this honorable body. I believe, with honesty and fairness to each and every member. Mr. President, I am voting "yes," and I am voting "yes" on my own guts and initiative, and nobody has told me how to vote for it. Nobody has spoken to me, Mr. President. I got in here, and now because I am here a bug-a-boo is raised this way and that about my connection with people I never saw except once or twice here and other people I never saw at all since my advent into the world. I am standing, as I said, on my two feet, and I am considering this bill from the point of view of the low-paid person rather than any other, and I am going to vote "yes," Mr. President.

Coun. HAGAN—Mr. President, I want simply to make a correction of a statement that was made which in a measure seemed to be a question of veracity, and probably was so intended. I said in the committee meeting that I was approached by a committee from Local 149, who asked me to vote for the acceptance of this bill. I was so approached by four men whose faces were familiar to me, whom I have met at the meetings of Local 149, men who are active in the affairs and deliberations of that organization, and I gathered that they were a committee that were sent to wait upon me, and I so stated it in my honest opinion and judgment. They did ask me to vote for this measure. I want that in the record, that there may be no misapprehension that I made any statement that is not a true statement.

Coun. MORIARTY—Mr. President, I want to say that I would not have made that statement if I had not been called out of the room by a man who told me that he was the secretary of Local 149, and who I know is secretary of Local 149, and he told me that in so far as action of that local was concerned they never took action and never appointed a committee to see anybody. The statement was made there was a committee from Local 149, and the committee representing Local 149 asked to have that action, and the secretary's statement is that no such action ever took place.

Coun. DONOGHUE—Mr. President, of course I am very much opposed to this bill because I do not believe that it is what we all preach when we are candidates for office as to the "square deal" for all employees and every citizen of Boston. We all also claim that we are in favor of "home rule" for Boston. Still, if we accept the provisions of this act, we are going to place upon the pension rolls and saddle on to the backs of the citizens of Boston the duty of paying pensions, the longest day they live, to at least 750 to 800 county employees, residents not of Boston but of Somerville, Medford, Malden, Stoughton, Wareham, and every other city and town around this state. We have paid the expenses of Suffolk County, including the cities of Revere and Chelsea and the town of Winthrop, in my opinion, long enough, and there isn't a member of this Council that when he is a candidate for public office has not proclaimed to the four winds that he stands for "home rule" for Boston, and still in this Council we see the spectacle today of men voting to saddle on to the backs of the taxpayers of Boston not alone the salaries of these county employees but also a pension after they have ceased to be employed by the county. I think that that one feature of this bill alone ought

to be enough to defeat it. But that is not the only bad feature of this "perfect" instrument, so called by the sponsors for it. They tell you, standing here, and they tell me, that this bill is as near a perfect instrument as it is possible for them to draw. In the beginning they said that, and in the beginning the chairman of the Finance Commission—and I have no quarrel with him but merely acknowledge that he is the moving light behind this entire proposition—said that he would have to see any amendments that were to be submitted to this bill before he would commit himself whether or not he would favor any amendments to the act, and later on during the hearings he himself admitted that amendments to this act might be possible. Showing that at least he had been influenced somewhat in his own judgment as to the perfectness of this bill. This bill, in my opinion, is the most imperfect, iniquitous bill ever presented to the City Council. This bill has so many flaws in it that even those that are voting in favor of it apologize for voting for it and say that they would like to vote for a more perfect instrument, that they would like to see the lower-paid employees paid more than they are going to receive under the provisions of this act; but still they are willing to accept the crumbs from the cake, they are willing to give the high-salaried employee who has been well paid for his services by the citizens of the City of Boston a pension that will amount in many cases to more than \$2,000 a year. More money than the majority of the city employees of Boston receive as a salary will be paid to these men as a pension. There is no contributory feature involved in a great many instances in so far as this bill is concerned. Many of the so-called superannuated employees that are going to be shoved out the moment that this bill goes into effect have contributed absolutely nothing in so far as money is concerned to the provisions of this bill. Still the laborer is going to receive an annuity of 4 per cent of his salary during the years that he worked for the city, from \$6 a week in many cases up to the present salary of \$24 a year, and he is going to be given credit for 4 per cent on those accumulations, and with that 4 per cent it purchases a certain annuity, and that annuity is going to be matched by a like amount of pension under the provisions of this bill. The well-paid employee has contributed absolutely nothing. He is eligible to a pension, and, as I stated, 122 of them eligible to a pension immediately in the School Department of our city will draw in salaries \$222,000, and they have contributed nothing. How many laborers would be pensioned in order to eat up a like amount? In order to eat up \$222,000 per year you would have to have a force of city employees in this city of practically 10,000. And of course we all know, and even those that vote for this bill know, that the future must be provided for. We are living in the present, that is true, and they talk of forward looking movements. If a matter is forward looking it must look to the future. We must look to the men who will come to work for the city in the future. We must look to the women that are to come to work for the city in the future. And what do we find under the provisions of this act? The city employee that comes to work for the city in the future, after forty years of service, will receive a pension of \$250 a year, \$110 less than he now receives as a pension. The lowest paid pensioner on the city rolls today receives \$360; while after forty years of service under the provisions of this act he is going to receive approximately \$250. If you say that that is fair, I disagree. I believe that the bill should primarily take care of the low-paid employee, and in that I differ as strongly as I can with the position taken by the chairman of the Finance Commission, when he admitted before this body that he believed the high-salaried employee should receive a high pension when he retires. I believe in a flat and equitable pension for all. I believe in the abolition of all poorhouses and the overseers of the poor. I believe that a fund should be created to take care not alone of the city em-

ployees but of all the citizens of Boston. I believe that they should be provided for against want in their old days, and under the provisions of this act I believe the city employee that is going to receive, as a scrub lady, 37 cents a day, and the laborer who is going to receive 83 cents a day, is going to pay his and her proportionate share of the \$2,000, and better, pension that is going to be paid to those employees of the city who have been well paid while they worked for the city. I say that it is logical, and a logical position to take, to say that when an employee in the city's service severs his connection with the city he is of no more value or benefit to the city than the low-paid employee. But under this bill you are going to pay them at least \$2,000 a year, and you are going to pay the scrub lady 37 cents a day. Is that an equitable bill? Is that a fair bill? Are we to be satisfied to see those that we come from take the crumbs from the cake while those who have the cake all their lives are going to retire with the cake in their hands and brush the crumbs to the laborer and to the scrub lady? I for one refuse to vote for any such bill, and I believe that a better bill than this can be enacted at the next session of the Legislature, and I think that a bill such as this is that has been drawn under the influences of men who are receiving high salaries from the City of Boston does not originate in the right place. I believe that those men who are actuated in seeing that the high-salaried employees are to be well provided for in their old days so that they may live in comfort should have some consideration at least from a humanitarian standpoint, if from no other, to see that the laborer, to see that the scrubwoman, to see that the elevatorman that they talk of the mechanic, the carpenter, etc., is also provided with at least a sufficient amount to allow him to exist, let alone to live. Who can exist on 37 cents a day? Who can exist on any 83 cents a day? The figures show from this paper here—and they are as authentic as any of the figures that have been submitted—that the schoolmaster is going to receive \$6.52 a day, while the scrub lady receives 37 cents and the laborer 83 cents a day. In other words, the schoolmaster who has been well paid for his service is going to receive eighteen times as much, under the provisions of this act, as the laborer who has borne the heat and the burden of the day. I say that that is not fair, and I say that that is not justice to the employees of the City of Boston, and I say that it will not be tolerated or would not be tolerated by the citizens of the City of Boston had they a vote or a voice on this subject. I do not believe that the citizens of the City of Boston who do not work for the city would ever agree to pay city employees that have been well paid all their lives a pension of better than \$2,000 a year. On the other hand, I do not think that you will find any men or women in this city of ours who would be adverse to paying a flat pension of, say, \$700 or \$800 to all employees. Why not give the laborer at least a pension of \$700 or \$800? The same amount to be given to the high-salaried employees. The high-salaried employee has had an opportunity at least to provide for a rainy day, while the laborer has had to struggle to make both ends meet. He has had no opportunity whatever to set aside anything for his old age, and still you are going to say to the man who comes to work, or the woman who comes to work for the city, after he or she has worked forty years, "We are going to allow you \$2.50 a week to live on comfortably." You are going to say to the laborer, "We are going to allow you \$5 a week to live on comfortably." And you are going to say to the master of the schools, "We are going to take care of you during your remaining days as we have taken care of you while you worked for the city, and we are going to pay you as a pension \$45.64 a week." Are you going to say that? I don't think you are. I am voting on this measure having in mind primarily the care of those who need to be provided for and only secondarily those who have been well paid while they have worked for the city. Eight hundred

county employees saddled on to the backs of the city laborers and the other citizens of our community! Eight hundred residents of Chelsea, Revere, Winthrop, Wareham, Stoughton, and the Lord only knows from whence they come! We are going to say to the laborer, "You are going to pay an even share to pay his salary and his pension; you have got to contribute as much, possibly in a different way, but you are going to be taxed for it just the same; you are going to help pay out of your \$2.50 that you are going to be allowed when you retire, you are going to be compelled to pay the master \$45.64." And that proportion that they talk about as an even, equitable one—the 4 per cent—in my opinion is absolutely unjust. Why our Overseers of the Public Welfare Department pay to widows and their dependents \$14, \$16 and \$18 a week. If this bill goes into effect, I predict that they will wipe that department out, and then they are going to see how drastic the provisions of this act are. Then they are going to be compelled to feed the mouths of little ones on \$2.50 a week, and then these members of this Council that are going to vote for this bill are going to come face to face with the problem that they have helped to reduce from \$18 a week payments by the Overseers of the Poor Department down to \$2.50, the amount that will be allotted or might be allotted to the person who has worked for forty years. The laborer today has to work twenty-five years and he retires on \$360. Under this act he will work for forty years and he will retire at less than \$250. No credit should be given to anyone for compulsory saving of my money or your money or the laborer's money. That money belongs to them, and they are giving them absolutely nothing when they give them 4 per cent on the moneys they take from them, and they are actually giving them less than they can get on the outside today. Anyone who contributes or who sets aside a certain percentage of their savings from week to week will receive more than 4 per cent a year on that money when it is compounded, not as it is in this bill, semiannually, but in very many instances and by many institutions in this city monthly, compounded monthly against compound interest every six months. Then they say, and I believe that it is a fact, that one of the real reasons for this bill was to get rid of the so-called superannuated employee. And they are not going to be, as it has been said. No, but when they go, their places are going to be filled by young blood. Young blood is going to fill their places, and they are going to come under the provisions of this act. Not voluntarily! There is no voluntary effort involved in it. Once this bill goes into effect future employees are compelled to come under its provisions, and I believe that that will apply to the veterans, even though it has been stated here by one who says that he is interested in the welfare of the veterans, and who evidently was, who lobbied this bill in so far as he could through the State House, he had the veterans exempted in so far as he could, and then he came before us, and I wondered often what his interest further was, to see that this bill is put over in its present form. The veterans in his opinion will be excluded. But the chairman of the Finance Commission, who is the leading light in this proposition and under whose hand this bill will be administered, stated that if any veteran in the future comes to work for the city and seeks to stay out of the provisions of this bill, he will bring him to court and have a test case of it. And when a general act such as this is has been passed, no logical reasoning can do other than to say that it will include veterans, and that is my opinion, that the veteran is going to be included under the provisions of this act. The veteran today, after ten years' service, can retire on one half pay. If he comes under the provisions of this act after forty years he will receive \$250 a year. Do you say that that is a square deal for the veteran? Do you say that that is a square deal? No one will deny that the police and the firemen come under the provisions of this act, and I differ from one of the councilors

opposite when he says that their duties are not more hazardous than any one else's in the city's service. I believe that statistics will show that the nature of their work is extra hazardous, and that that was one of the reasons why the Legislatures in the past agreed to pension those men when they were no longer fit for service at half salary, or \$900 a year. You are going to include under the provisions of this act the policemen and the firemen and the elementary teachers. Those, of course, who have appeared before us of the elementary teachers do not have to come under the provisions of this act, but if they do not come under the provisions of this act, why, I can't understand, myself, why they won't. It will be a good thing for them, for those that have had long service, because they are getting something for nothing, and when their position has been described in this Council because they have a pension plan of their own which pays them \$600, you lose sight of the fact that if they care to they can come in under the provisions of this act and raise up that retirement allowance from \$600 to around \$1,000. Of course they ought to be in under it. If the majority prevails of course they will come under. And it is going to add up the expense, and the only one who is not going to be benefited under the provisions of this act is the fellow who is going to come in to toil for the city in the future, the man or the woman who is going to come in and retire after forty years at \$250 a year, while, on the other hand, the high-paid employee is going to receive better than \$2,000 a year. I make no apologies to anyone for my position on this bill. I think that I am absolutely sound on it. We have had evidence of the feelings of the people of our community on the question of old age pensions. I believe in an old age pension, and it has been voted on in this city of ours, and in practically every community they have voted in favor of it in a ratio of at least 7 or 8 to 1. But would they vote, would the citizens of Boston vote to pension high-salaried employees at better than \$2,000 a year? Of course there is no one in here, any member of this Council, that would ever dream that they would. They talk about the political standpoint. I believe that from the political standpoint this bill is absolutely political suicide for anyone that votes for it. The veterans in the future, in my opinion, will be absolutely against it. The police, the firemen, the elementary school teachers, and the citizens of Boston who do not work for the city, and those citizens of Boston also who do not believe that the county employees should be saddled on to the backs of residents of Boston, will be against it; so that from the political standpoint I cannot see what anyone has to gain by voting for the provisions of this bill. And of course I have friends the same as anyone else that have been well paid and held down good jobs for the city, and I have had personal interviews with some of them asking me to vote for this bill. Of course it is selfish on their part to ask that I vote for this bill, but nevertheless these are the only ones that I have seen before this Council, the high-paid employees, that are advocating the passage of this act, and I hope that the bill will fail of passage.

The order was passed. Yeas—Coun. Ford, Gilbody, Hagan, Lane, Walsh, Watson—6.

Nays—Coun. Brickley, Donoghue, Moriarty—3.

CLAIM OF ATLAS CONSTRUCTION COMPANY.

Coun. WALSH called No. 6 from the table, viz.:

6. Ordered, That chapter 207 of the Acts of 1922, entitled "An Act Authorizing the City of Boston to Pay a Certain Claim of the Atlas Construction Company," be and the same hereby is accepted.

Passed.

CONFIRMATION OF APPOINTMENT.

President BRICKLEY called up unfinished business, No. 1, viz.:

1. Action on appointment submitted by the Mayor July 31, 1922, of Samuel M. Bere-snack to be a Constable.

The question came on confirmation. Assigned to the next meeting on motion of Coun. GILBODY.

APPROPRIATION TRANSFERS.

Coun. WATSON called up unfinished business, No. 2, viz.:

2. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Gymnasium, South Boston, \$20,000, to the appropriation for Christopher J. Lee Playground, \$20,000.

On July 24, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

HIGHWAY APPROPRIATION.

Coun. WATSON called up unfinished business, No. 3, viz.:

3. Ordered, That the sum of \$100,000 be and hereby is appropriated for highways, making of, under the provisions of chapter 393 of the Acts of 1906, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On July 24, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

DISCONTINUANCE OF BATH STREET.

Coun. WATSON called up unfinished business, No. 4, viz.:

4. Whereas, It is proposed that a portion of Bath street, containing an area of 1,766 feet, more or less, as shown on a plan hereto annexed, shall be discontinued.

Ordered, In the event of such discontinuance, that the Mayor, in the name and behalf of the city, is hereby authorized to release to the Post Office Square Company, its successors or assigns, by an instrument in writing, satisfactory to the Law Department, all right, title and interest which the City of Boston may have in the said land after the said portion of said street is discontinued, and also in a triangular parcel containing about thirteen square feet of land lying west of Bath street and bounded northerly by the southerly end of the Delta Building property, upon the payment to the city of the sum of \$47,370; and upon the further consideration that the Post Office Square Company shall, without compensation, convey or cause to be conveyed in fee to the City of Boston for street purposes a strip of land containing 200 feet, more or less, which is now located on the southeasterly corner of Post Office square and said Bath street, as shown on the above mentioned plan.

On July 24, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its final reading and passed, yeas 9, nays 0.

RELEASE OF CONDITIONS, WASHINGTON STREET.

Coun. WATSON called up unfinished business, No. 5, viz.:

5. Ordered, That his Honor the Mayor be and he hereby is authorized to execute on behalf of the city, so far as he may lawfully do so without affecting the legal or equitable rights of others holding title under it, an in-

strument satisfactory to the Law Department, releasing the conditions in the words following:

"The front line of the building which may be erected on the said lot shall be placed on a line parallel with and ten feet back from the said Washington street. The building which may be erected on the said lot shall be of a width not less than eighteen feet. No dwelling house or other building except necessary outbuildings shall be erected or placed on the rear of the said lot except as hereinafter mentioned. No building which may be erected on the said lot shall be less than three stories in height exclusive of the basement and attic, nor have exterior walls of any other material than brick, stone or iron, nor to be used or occupied for any other purpose, or in any other way than as a dwelling house for the term of twenty years from the eleventh day of February, 1857. By the front line of the building above mentioned is meant the straight line thereof and it is understood that the swell front of the building erected upon said lot together with the steps thereof shall be allowed to project beyond said line. It is also agreed and understood that said Roberts and his assigns shall be allowed to erect a stable upon the rear of said lot for the private use of the occupants of the aforesaid building only; the exterior walls of which shall be of brick, stone or iron and the roof of which shall be slated or tinned. The above mentioned premises are to be conveyed subject to all the easements acquired therein by the proprietors of the adjoining lot fronting upon Washington street, between the above

named premises and Northampton street. The building erected on said lot is to be built in conformity to the requirements of the foregoing conditions."

Contained in a deed given by the City of Boston to Joseph D. Roberts, dated October 11, 1858, and recorded with Suffolk Deeds, Book 746, page 35, conveying to him an estate on the southeasterly side of Washington street, between Massachusetts avenue, formerly Chester square, and Northampton street, and now belonging to the Roxbury Trust Company.

Also ordered, That his Honor the Mayor be and he hereby is authorized to declare in said instrument that the city will not claim any forfeiture of any of the land described in said deed by reason of any breach of said conditions.

On July 24, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.33 p. m., on motion of Coun. MORIARTY to meet on Monday, August 14, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 14, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Twenty-two special grand jurors, Superior Criminal Court, to appear August 23, 1922:

Conrad Pennucci, Ward 1; Samuel E. Yeo, Ward 1; Harry Greene, Ward 2; Anton Mortensen, Ward 2; Thomas J. Powers, Ward 4; William Bernstein, Ward 5; Hyman Kaiser, Ward 5; John Hannify, Ward 6; Joseph P. Garnett, Ward 7; George L. Noyes, Ward 8; Michael J. Conroy, Ward 9; Frank E. Fleming, Ward 9; Thomas W. Somers, Ward 9; Daniel J. McKinnon, Ward 10; John H. Brown, Ward 11; Harry E. Pethick, Ward 11; James Sullivan, Ward 11; Michael J. Dacey, Ward 12; Gustaf H. Wuth, Ward 15; Ike Cohen, Ward 16; Edward Daniels, Ward 16; Thomas A. Finnegan, Ward 17.

APPOINTMENTS BY THE MAYOR.

The following were received:

City of Boston,
Office of the Mayor, August 14, 1922.

To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint the following-named persons to be Constables of the City of Boston for the term ending April 30, 1923.

John A. Anderson, 18 Mallon road, Dorchester; Alfred R. Mitchell, 726A Dudley street, Dorchester.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of the Mayor, August 14, 1922.

To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint Lorenzo F. C. Stone, 221 Webster street, East Boston, a Weigher of Goods and a Weigher of Coal for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

Severally laid over under the law.

TRANSFER OF LAND, GENEVA AVENUE.

The following was received:

City of Boston,
Office of the Mayor, August 14, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the Park Department relative to transferring a certain portion of Geneva avenue, Dorchester, and East Second street, South Boston, abandoned as a highway, to the care and custody of the Park Department for playground purposes, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, August 9, 1922.
Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to make a request upon the City Council to pass an order transferring that portion of Geneva avenue which was abandoned as a highway, to be included in the Christopher Gibson Playground, and that portion of East Second street between M and N streets, South Boston, abandoned as a highway, to be included in the Christopher J. Lee Playground, to the care and custody of the Park Department for playground purposes.

This transfer is made necessary in order that the Park Department may have legal custody of the land abandoned.

Yours very truly,
DANIEL J. BYRNE,
Secretary.

Ordered, That the portion of Geneva avenue between Park street and Dorchester avenue, Dorchester, and East Second street between M and N streets, South Boston, abandoned as a public highway by the Board of Street Commissioners, be and the same hereby is transferred to the care and custody of the Park Department for playground purposes.

Referred to the Committee on Public Lands.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, August 14, 1922.
To the City Council:

Gentlemen,—I transmit herewith various requests for transfers within department appropriations and respectfully request the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for E-1, Building, \$1,000, to the appropriation for D-9, Educational and Recreational, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Water Service:

From the appropriation for A-2, Temporary, \$791.71, to the appropriation for A-1, Permanent Employees, clerks, 4 (5) at \$1,700 per year, \$791.71.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Fred Affa, for compensation for damage to automobile by collision with city car.

John Bravaca, for compensation for injuries received from a fall on Margaret street.

Peter R. Carrigan, for compensation for injuries caused by an alleged defect at 90 and 92 Court street.

F. Gray Company, for compensation for damage to property by fire apparatus.

John H. Healey, for compensation for damage to property at 869 Broadway by overflow of sewer.

Rosa Langorna, for compensation for injuries received on the East Boston Ferry.

Christina M. Leuthy, for compensation for injuries received from a fall at Canterbury street.

Dennis Neville, for compensation for damage to property at 49 Minot street by overflow of sewer.

Angelo Puzo, for compensation for damage to property at 20 Chestnut street by overflow of water.

J. J. Van Emden, for compensation for damage to property on night of riot.

Samuel W. Rouiness, for compensation for loss of coat while an inmate of Long Island.

Executive.

Superior Simmons, for permit to sell, rent or lease firearms at 111 Eliot street.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Guiseppe DiMarco and John F. Welch.

Approved by the City Council.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions of nineteen newsboys and eleven vendors for minors' licenses—recommending that the same should be granted.

Reports accepted; licenses granted on the usual conditions.

SIDEWALK SCHEDULE.

The Commissioner of Public Works sent to the City Council a statement of the cost of work for the making of sidewalks on Fairbanks street, Ward 26, amounting to \$3,502.98, recommending the passage of the following:

Ordered, That the persons named in the foregoing schedule be and the same are hereby assessed the sums set against their respective names as their proportionate part of the cost of constructing sidewalks in front of their estates bordering on Fairbanks street, Ward 26, and the same is ordered to be certified and notice given to the aforesaid parties. The order was passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 and 2, viz.:

Action on appointments submitted by the Mayor August 7, 1922, viz.:

1. William A. Cohen and Corrado Palladino, to be Constables.

2. Cedric C. Lee, John L. Rounsevell, Richard L. Grey, Albert West and Carl G. Braun, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Ford and Walsh. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

Coun. GILBODY called up unfinished business, No. 6, viz.:

6. Action on appointment submitted by the Mayor July 31, 1922, of Samuel M. Beresnack, to be a Constable.

The question came on confirmation. Committee—Coun. Gilbody and Walsh. Whole number of ballots cast 8, yeas 8, and the appointment was confirmed.

BUILDING LINE, PROVINCE STREET.

President BRICKLEY called up unfinished business, No. 3, viz.:

3. Ordered, That the sum of \$250,000 be and the same is hereby appropriated for the establishment of a building line on Province street, between School street and Bromfield street, and that to meet said appropriation the City Treasurer be authorized to issue, from time to time, upon the request of the Mayor, bonds or certificates of indebtedness of the city to said amount.

On July 31, 1922, the foregoing order was read once and passed, yeas 6, nays 3.

The question came on the final reading of the order.

Coun. HAGAN.—Mr. President, I think I want to go on record as being opposed to this measure, and I would say a few words accordingly. Some three weeks ago, Mr. President, in this chamber, at a meeting of the Finance Committee, which is composed of the total membership of the Chamber, this matter was up for consideration, and at that time one of the members of this Council went on record as being absolutely opposed to this measure. In his statement to the Council, or to the committee (the Council of the whole), I thought he made some rather pointed references to the promoters of this measure that were a little bit far fetched, in my judgment and opinion. The attack that he made upon those men would lead me to believe that they were not public-spirited men, they were far from being good citizens, they were putting something over on the taxpayers of the city. The widening of Province street was characterized, if not in so many words, as a "land jobber's scheme," or a "land steal," or something of that nature, that carried with it, naturally, the thought that something terrible was happening, something bad to the taxpayers, something against the interests of the citizens of Boston. The name of Mr. Shoolmar, the treasurer of the real estate concern which is putting up the building was brought up in that discussion, and I was led to believe from what I heard that he, of all citizens, was most undesirable, being the promoter of this bad measure. I was glad to hear that, not put in exactly the terms and the language that were used. I was glad to hear the sentiment that the widening of Province street was a bad measure and against the interests of the citizens of Boston. So I quietly approached other members of this body, and I asked their viewpoint, which is quite customary, for I like to be enlightened, and from one of those men I was told it was a land deal—don't believe in it—don't approve of it. A few moments later I approached another member, and he gave me practically to understand the same sentiment, he was in opposition. And then, following the custom that we will indulge in, I made up my mind that that measure was going to be killed by this City Council. I know that there was two members of this body who are going to vote for that measure, not altogether because of the fact that they had unlimited confidence that it was for the best interests of the citizens but for a reason that appealed to them, whether or not it did to me, and for a reason that I can respect because it is a quite common reason in every legislative hall. Therefore, I figured that there were two members of this body who were going to vote for the widening of Province street and seven votes were going to be against, and that sentiment was certainly most pronounced. You can imagine my surprise, Mr. President, two weeks later—a week ago today—when this matter came up here for its first hearing to find that there were six votes in favor and three against this most obnoxious measure. No explanation, not a word of comment. They voted "yes" without a tremor, without a word of explanation to members of this Council who had heard them in opposition, without a word of explanation to the citizens who sent them here. Now there is a reason for everything in this world. Men do not do these things without a reason, and I would like to know what that reason was. In my experience in this body extending over a period of some years I question if I ever saw such a complete turnover in a short space of time in the minds and temperament of men. Now, some arguments were used to convince those men that they should change their minds, that they should change their sentiments, and that they should change their votes. There was a reason. Presumably it was a good reason, but what was the reason? Why is it that nobody approached me and educated me up to that point so that

I could see the wisdom of voting for this measure? Why is it that the two other members of this Council, who are opposed to the widening of Province street as being against the public interest, were not themselves educated with me up to understand somewhat pertaining to this measure? Why is it that we three were left out in the cold, with no advances made to us to enlighten us as to the great, overwhelming reason that prompted this complete change of sentiment? I ask the question because I want to know. I feel that there is a reason, and I would like to know what that reason is. Perhaps I might vote for the widening of Province street if I knew the reasons that have been advanced to the gentlemen who changed their sentiment and who did vote for it. Perhaps the arguments that were advanced would convince me that I was in error and they were right. I do not know how substantial the arguments were until I get some enlightenment on that question. So I stand here now today asking and demanding on the part of the public of Boston that some explanation be given as to why men will vote for a measure who were instinctively opposed to it, who believed it to be a bad measure, believed it to be against the best interests of the city, and who characterized it as a "land jobber's scheme," that was most repulsive in character. I would like to know something about that matter if I can get any enlightenment today, Mr. President.

Coun. LANE.—Mr. President, two weeks ago today I rose on my feet to oppose this measure explaining to the Council that I was pretty clearly of the opinion that the widening of Province street was not to the advantage of the City of Boston either from the standpoint of relieving the traffic congestion or of opening up new taxable property upon Province street. It is seldom since I have been a member of this Council (five years) that I have voted with the Finance Commission. In this case I feel compelled to do so. We are confronted with the fact that the borrowing capacity of the city today is but about \$485,000. Two weeks ago today we appropriated \$70,000 for a new playground in the North End which will reduce that borrowing capacity to \$415,000. Under this bill, if it goes through, we will take \$250,000 more, and it seems to me criminal to exhaust the borrowing capacity of the city at this time of the year. We have still about six months to go in the fiscal year, and will have only about \$165,000 left to meet any emergency which might arise. Now we are told that \$250,000 is sufficient to establish this building line. From what the Finance Commission has told us from their investigations, this is going to cost the city a million and a quarter at least, and the \$250,000 will be but a starter. Within six months they will require \$250,000 more, and where is the money coming from? I am not going into a long dissertation upon this feature of the case but I think the figures alone will tell that it is unwise for the city at this time to enter into this project. As I have said, two weeks ago I think I also showed that it was unwise for the city to make the widening of Province street from other standpoints. We were told by His Honor the Mayor that if we widened Province street it would increase building by several millions. He held up before us the fact that the Five Cents Savings Bank would erect a \$2,000,000 building, which is a building that they will erect on the present site. If Province street is widened it is a question whether they will erect that building. The other building, the Shoolman building, so-called, is now in the process of erection, and if we widen Province street there is no reason to believe that that building which they will then erect will be worth any more money in taxable property to the city than the one they are now erecting. We have no reason to believe that the westerly side of Province street will be improved. Certain property there is now above the street level by several feet, and if Province street is

widened they are going to lower the grade, and they will still be up in the air more than they are today. I think, gentlemen, that it is a great mistake for the City of Boston to enter at this time upon a project of this sort.

Coun. WATSON.—Mr. President, it was not my intention to enter into any discussion concerning the proposition before this body, but in view of the fact that I am one of seven, or six, rather, who voted in favor of this proposition I feel that it is my duty to defend my position. I believe that each day that passes Boston is becoming a way station. Each day that passes other communities of large size, other large cities in the country are fast approaching us in a commercial way and will pass us soon unless we awake. The great oak from the little acorn grew. So we may take that same line of thought and apply it to the proposition under consideration—the widening of Province street. It may not have all the merit that some other improvements that lie in my mind have which I would prefer to vote for if they were presented here; but in view of the fact that there is no other proposition before us in the way of the starting of a great, big enterprise, I, as one member of the body, have a duty to perform, and that is to act upon this special matter. The Boston *Herald* has presented to the people of Boston in a rather crude way the question of building an arcade through the buildings at the continuation of Province street, and that enters into my reason for voting as I have in the past for this measure and as I intend to vote today. We can never have in my opinion—unless there is a Boston fire similar to '72 in this very location from Bromfield street through to and beyond Boylston street—a highway between Tremont street and Washington street such as is proposed by the starting of Province street. The arcade proposition is feasible, it is practical, and it is possible within my time and yours, Mr. President. Property values will increase with an arcade as suggested by the Boston *Herald*. And I am not a sponsor of this newspaper's ideas, but whenever the Boston *Herald* presents a proposition that has merit, I, as a sensible and rational man—at times at least—am in duty bound to take up and do what I can in carrying it forward. The widening of Province street is the beginning of a great improvement. It does away with a great fire hazard in the most valuable part of Boston. It provides a wide avenue, although short. And the argument about one-way streets leading out of a big street into a small street has no value. So far as I am concerned I see but very little merit in it, because if we went out and began to placard our streets and highways with traffic signs, as we are doing today, we would be just as blind in finding our way about Boston as we are today, because the present situation is chaotic. Therefore the question of coming down School street and going through to Bromfield street and back to Tremont street is a ridiculous routing of traffic and is of no moment. The question we are considering, Mr. President, is the merit or the opposite of widening Province street, and I believe the merit in favor outweighs the opposite. I know nothing about other members' reasons for changing their votes. That is their quarrel; that is up to them. I have no quarrel with the gentlemen who preceded me, either of them, but more particularly the counselor on my left, for his position. He knows his own business best. If he is seeking light he is only doing what we are all doing as public servants with a duty to perform. This question before us is to be determined on our individual opinion and judgment, based on information and facts obtained on the subject. Side issues should not enter into it. The question is, Is the Province street widening as proposed in this order a step in the direction of doing something in a big way for big Boston, or are we to stand here and nullify the first step in the direction of doing something to make Boston something more than a large

village? And while perhaps I may not be the ablest member of this Council, I have had the experience here of nine years, two years in the old Common Council, and two years in the Legislature, and I will say frankly that with my narrow views on great, big propositions and big improvements in my first two years in the Common Council and, in a way, my two years in the Legislature, I am as much responsible for the lack of progress in Boston as any other man who ever held public office, and I make that frank confession. To do something worth while we have got to do it, after mature reflection, regardless of the views of those who may have a special reason for opposing us. And I have no reason but to believe that the two gentlemen who preceded me are absolutely honest and sincere in their position, and I am willing to let you have your opinions, gentlemen. That is for you and your Maker to determine whether it is an honest one or not, and I do not question it. Therefore, by the same token you should give me the same right, and my colleagues also. The proposition, in my opinion, is a worthy one, and delay in the matter leads us into greater damage suits. Further delay means more damages, means greater damages, and my opinion concerning the Province street widening, plus the arcade principle of the Boston *Herald*—arcading from Bromfield street through the buildings to Boylston street—has not changed a particle since my first vote. When the matter was first brought to my attention I believed that it was a good proposition, and I have not changed my mind, and since then my opinion has been ratified and strengthened by the new plan presented by the Boston *Herald* for doing the only feasible, sane thing that can be done in the matter of a thoroughfare from Bromfield street through to Boylston street—an arcade of some nature. And I do not give the Boston *Herald* all the credit for that arcade idea, because I had something to do with a principle along the same lines. I put an order in here inquiring into the expense of arcading Washington street from Adams square to Summer street, on both sides, and my plan was to build underneath where the store fronts are, build the front in the width of the sidewalk on each side, permitting the people to walk up Washington street without danger from vehicles, and then they could use the balance of the sidewalk for widening Washington street and give us a 20-foot wider street at a small expense. My plan met with no great enthusiasm on the part of the Boston *Herald*, but that is to be expected. Think of the author and the inventor of the idea, and you know why the *Herald* did not come in and say a word in favor of my arcade. I am bigger than the *Herald*, I hope. I think I am. I am more magnanimous. I know their plan is a good plan for arcading Bromfield street through to Boylston, and I approve of it heartily, and it enters into this proposition of widening Province street. It was my intention not to open my mouth today on the floor of the Council because certain members have certain pleasures that they desire to satisfy. They desired to go up to a ball game, to a benefit in aid of a worthy, good fellow, a friend of mine whose name I will not mention—it is not necessary—and we are going to try to get away, but, although I was not going to interrupt or interfere with the progress of the meeting in order that that might take place, this debate has been thrown into the Council, and I want to make my position clear—yes, and clean. I am voting for Province street widening because I believe that there is more merit in that position than there would be if I voted against it. It is the beginning of an improvement. That means something, in my opinion; and if the merchants of Boston continue their pickayune policy of trying to keep on with this “pay-as-you-go” policy that has been in vogue in this body since I have been a member—foisted on us by some new-fangled efficiency expert with-

out a map—if it continues, and the business men do not wake up, I will lose my respect and regard for them. “Pay-as-you-go” policy! There isn’t a merchant in Boston, or a bank president in Boston, or an institution in Boston that is operating today on the so-called “pay-as-you-go” policy. What is the need, Mr. President, of kidding ourselves? Every man has to have help in his business at times. He mortgages the future to take care of the present, and what is true of business houses is true of governments. You must make the future pay for the present, the benefit to accrue to them in the future. So I say that it is unfortunate that the business men of Boston do not wake up to the fact that pickayune ideas and standstill principles are not best for our city. It may seem strange to some of you here to hear me talking about big things, but, gentlemen of the Council, I have been doing a little research work in my humble way. I have been reading about what other cities are doing, smaller cities. I have seen what smaller cities and larger cities have done and are doing, and when I think of Detroit and Milwaukee, and even little Columbus, the capital of Ohio,—when I think of what they are doing in the way of big improvements, and how they are mortgaging the future for future generations to benefit by, and to pay, I almost feel like hanging my head in shame to think that Boston, the Hub of the Universe, the birthplace of liberty, where Faneuil Hall and Bunker Hill stand, must stand still and let Columbus, Milwaukee and Baltimore creep up on us. We have seen Detroit and Cleveland pass us, and Buffalo coming strong, and we are standing still. Gentlemen, that is my reason in part for voting as I did recently in favor of this widening. That is the reason I shall vote today to indorse my previous attitude, and if I had a reason to change and believed that my opinion was not based on good, solid facts, and that I was not doing that which is for the greatest good for the greatest number in our community, I would change my vote just as quick the other way as I voted rapidly in the beginning. I offer no apologies for my position. I think I have made it fairly plain, Mr. President and fellow members, that I am voting according to my lights and best judgment. If I err, as I have erred in the past, it is the error of the head and not of the heart. My conscience is absolutely clean on this proposition. There is more merit by voting “Yes” than there is to vote “No.” I love Boston, and Boston has done much for me through its citizenship. The citizens have not elevated me to any great high office, but when I have gone to them with my story, sincerely and frankly told, they have listened to me and rewarded me by sending me to this body, a high honor, an honor that cannot be bought, an honor that you must receive at the hands of the people whom you are to represent; and I do not intend at this age in life and in my ninth year in this Council to vote against what I believe to be their best interests. I have been told that my position on the pension bill and on other measures was against my political future, if I had one, and while that perhaps has tingled my ears, I have always sat right back and said to myself, “Old man, you have a duty to perform, and perform it,” knowing that I would meet with the displeasure of close friends. But my close friends, while they may criticize me on this vote or that vote, when they give me the time to tell them, man to man, my position and my reason for my position, I will bring them back to me as friends of yore. Therefore, Mr. President, I apologize to the members for this rather long-winded statement of my position, and I sincerely trust that my vote when cast, as it will be, in favor of the widening as per the order—the only thing before us—I will be doing that which I believe to be for the best interests of the voters of this city regardless of any affiliations.

Coun. FORD—Mr. President, I am sorry that we have to say anything about the order and take up my good friend Coun. Walsh's time because I understand that he has an important engagement. He is going to speak in the western part of the state for weeks, but, however, it seems necessary because my good friend on the opposite side said that the measure that I voted for is a most obnoxious one, and of course that carries with it the thought or the idea that we have voted here for a measure idly and without due consideration. While I was sitting here I wondered what all the shooting was about, or why all the talk and argument. I can't help remarking, before I say a word or two on the measure in passing, that, when I heard my good friend, Mr. Watson, who, as he says, loves the City of Boston, and I hope the City of Boston loves him, speak of Milwaukee I thought of something else, and I could not help remarking to the person who was sitting on my right that when I thought of Milwaukee I thought of a brewery.

Coun. WATSON—Pardon me, Mr. President. Does the gentleman yield?

Coun. FORD—I will be glad to.

Coun. WATSON—I did not hear the last word.

Coun. FORD—"Brewery"; "b-r-e"—with-out the "q"—"brewery."

Coun. WATSON.—I was not thinking of that, but it is getting bad, at that!

Coun. FORD—I understand the councilor knows the location very well, we having been led into it, having it pointed out as one of the greatest institutions of the modern world, and the ancient world at least. Some time ago my good friend, Watson, related to me the story about the widening of Washington street. He spoke about some fellow that had been sitting in some public body—I think it was this body or one of its predecessors —

Coun. WATSON—The Common Council.

Coun. FORD—The Common Council—that voted on a measure that required the expenditure of \$100,000 for the widening or the extension of Washington street, and when that poor fellow came up for reelection the next year they defeated him, and defeated him by an almost unanimous vote, because they contended at that time that this man was spending the city's money in an idle manner, that the expenditure of \$100,000 for such an idle project they could not stand for, and they had to repudiate him at the polls. That man had vision, and if that \$100,000 order had passed and that had been spent some twenty-five or forty years ago, then of course Washington street would not be in the condition it is now—absolutely an inadequate highway for the City of Boston. That order promised much. Who knows what the widening of Province street would promise? It is not an obnoxious measure. It is one that may lead to better things. I have heard it expressed here on the floor of the Council that adopting the plan was to widen this street through Province street as far as Bromfield street, and perhaps farther, although entailing the expenditure of may be—well, guessing at it—probably \$25,000,000, may be \$50,000,000, that there would be considerable merit in it. When the Stuart street proposition was passed it was then contended privately that Stuart street was not going to finish at the corner of Eliot and Tremont streets but that they intended to extend Stuart street down to the South Station district and expend \$25,000,000 in the extension of that street. These matters may promise much, and when I talk of promises I am reminded of a story I once heard about promising a whole lot. These two Irishmen, Mr. President, were out on a raft and the waves were rising up high. The ship had been wrecked, there was nothing in sight, so they thought they would do the only thing that could be done under the circumstances and in those terrible events, so they started to

pray. Mike started in and he said, "If I ever get out of this I will never swear."

"Pat—If I ever get out of this I will never smoke."

"Mike—If I ever get out of this I will never get in a quarrel with my wife."

"Pat—If I ever get out of this I will never take another drink."

Mike started to say something, and Pat pulled his coat tails and said, "Mike, don't promise too much. I think I see land."

Now, Mr. President, you never know under these circumstances where the land may be that these widenings lead to, and Province street in this widening may lead to something. It may lead to the development of the City of Boston. There isn't any councilor in the city that will successfully contend or question successfully that we are in a congested situation as far as School street and running south is concerned. The Planning Board has had plans, and Miss Herlihy of the Planning Board said here that the Planning Board intended to extend this street farther down, that that was a part of their great plan. It cannot all be done at once. It is like the widening of Washington street with its \$100,000; that would be a mere drop in the bucket at the present time. It may cost a million dollars, as Coun. Lane has said, and may cost more, but it is the beginning of something, and the beginning of something in the right direction. It is not an obnoxious measure. It is a meritorious measure, as nearly as I can see.

And, in reply to the councilor opposite, I may say this, that when the councilor says that he has been left out in the cold, that no one used any arguments on him, oh, that is not absolutely correct, and I know the councilor did not mean it in that wise. The Mayor used arguments, and presented himself here personally. Miss Herlihy talked on the matter, and we talked on it at great length. There were many arguments used. Of course I was one of the two—Coun. Watson and myself—that voted for it. The councilor intimated that we did not vote for the project because of reasons that were prompted by civic spirit. That was intimated. I wish to disagree. I voted for the measure purely and simply because I thought it was an improvement in the property and in the right direction. I voted for it in the first instance, and I am going to vote for it today. And when we see men shifting their votes it makes little difference. I have been in this body now for six years. I am about to leave the body, but it makes no impression on me, no strange impression, if the man on my right or the man on my left votes opposite to me. That makes little difference. He votes as he sees it. Even if he changes his vote I see nothing worthy of comment in it. Votes are changed for political considerations sometimes. That is not the proper civic spirit, to be sure; I know it; but it sometimes enters into votes. Sometimes men will be in a peculiar state of mind and change their votes. Arguments may be used, and a thousand or a million different directions that prompt men to change their votes. This may be the last time that I will have a chance to speak on a real estate improvement in the City of Boston, but I want to say that this is my experience, so that it may be a matter of record for anyone that may come after me, that when men, I do not care whether they are prompted by financial interests or other interests, are interested in a peculiar project or interested, to use a better word, in an individual project, or a project that interests them particularly, they will go through with that project until the bitter end. This is human nature, and it always enters into all our discussions and in all our votes, that when a body of men or a set of men are interested in a real estate extension they go through with that proposition to the bitter end, even though they think it is an expenditure of too much money, or even though they do not think that the City of Boston will be benefited absolutely. When a man's money is inter-

ested in a proposition he will go through with that proposition to the ultimate result. The human side or the human element, Mr. President, of the matter is indicated when betting on elections. When you see the most notorious or the most famous gambler in the world betting on an election, even though when he starts to bet he is not interested in the candidate on whom he bets, he will immediately after making the bet follow the money. He could no more get away from that than he could change human nature from the beginning of man to the present day. When men or a set of men are interested in a real estate undertaking they go through with it until the result is either accomplished or not accomplished. By the same token, when men are connected with those men that are interested in a friendly spirit because they are business friends, because they are political friends, or because they are other friends, at the same time having the city's interests in view, of course, they are prompted when the time comes by those considerations, and when men are lined up with a body of men who favor these real estate undertakings then of course they go along with it. We have had great experience in this Council on the biggest project that was put through when I was in the Council, the Stuart street proposition, as it was then called. We saw the City Council then dividing in a peculiar manner, peculiar probably, if we call it peculiar, but there we had a set of men that were interested in the real estate undertaking on one side, and then we had a set of men that were looking for the interests of the city on the other side, and then those men followed the situation to the ultimate result, namely, that when the Council could not pass it, they induced the Legislature to pass the bill so that the City Council could not vote upon it, passing the money outside the debt limit of \$3,000,000 so that it could be borrowed, showing that in these real estate undertakings that where men or a set of men, or where the men in the Council are interested in these men, when they are not moved absolutely by the civic spirit, then of course they follow this undertaking. Province street, Mr. President, may or may not be a wonderful improvement for the City of Boston. Stuart street may or may not be a wonderful improvement for the City of Boston. If the retail dealers in the City of Boston do not see the light—and they are being forced almost to see light, so that you may have a retail district down in the Stuart street district and widen out the City of Boston—then of course we have spent almost \$3,000,000 idly. They may or may not do that, but when you vote for the project or are interested in it, you hope there will be developments along those lines. Unless you make a beginning you can't make an ending. The Stuart street proposition was a beginning. I venture to say this, that if the project came into the City Council to widen Exchange street, or to build a tunnel under Post Office square, you would find a set of financial interests in the City of Boston back of that project. Now I will venture to say this also, that if the men in this Council—I use the argument in the proper manner—if the men in this Council—some of them may or may not be, but assume that they are—if they are connected with financial interests that own property in that particular corner, or if they are connected with the body of men that would be behind such a project, then those men, because they are human, will naturally be swayed in that direction, and all things being equal, with their eye, of course, still open to the civic betterment of the City of Boston, they will be with them because of these human interests in that direction. They can't help it and can't resist it unless they want to be in the position of the Irishman who would like to see the man that could convince him. That is always so. I think Province street will be a good thing for the City of Boston. I think that wide thoroughfare there, although not of course,

as Coun. Lane properly points out, will be a good thing for the City of Boston, and if we widen it down right straight through as far as we can go, even though it cost a lot of money, then it will be a wonderful thing for Boston. Something has got to be done to make a radial highway north and south. This may not be the place, but it is a beginning to relieve congestion and stimulate building. Mr. President, I am not defending my vote. I want to say this, that I think the project is a good one. I think it is the proper one. I started in to vote for it, and I am going to finish in favor. Of course we have an order, and the cost I think if it is continued and if it goes farther, even if it cost a million dollars—and, mind you, other interests in the City of Boston will try to make the city spend \$25,000,000 to continue the Stuart street project, before the other real estate operators accomplish their view that the extension of Province street is the better improvement—those things must necessarily enter into it, and when those that follow us come to these questions it will be for them to decide as far as the benefit to the City of Boston is concerned which is the better project to spend money on the extension of Province street or Stuart street. It may be, Mr. President, that some of the opposition to Province street, or the beginning of another great widening which may develop in the future, the opposition to that improvement is this, that if you go in on that and you spend the city's money on that project, don't you see, Mr. President, that those that are interested in the Stuart street proposition, or in the Post Office square proposition, or in the Cambridge street proposition, will realize that we can't spend \$25,000,000 or \$50,000,000 in one decade, or in two decades, and consequently some of the opposition may come from that contention. Finally, Mr. President, I am sorry I talked too long,—it will remain for the future to judge. The councilor on the opposite side cannot determine, neither can I; neither have I vision enough to determine, but it remains for the future to tell whether or not in voting for the widening of Province street today we have been actuated in the best interests of the city, not of the present, but of the future.

Coun. MORIARTY.—Mr. President, I am surprised. I believe that this is the third time that this has been before the Council as far as voting is concerned and the man who has brought about this discussion in this meeting today has had a button on his lips. He has absolutely not said a word on this question one way or the other. Where has he been? He has said that he has risen here to look for enlightenment. Maybe I can rise for the same purpose and ask who has been to him since the last meeting, if insinuations are to be cast. He said many things but floundered around and said that if they did not say this they said something like that. What he should have done if it was said in the Council meeting was to have got the records to find out what was said. He does not want Coun. Ford or Coun. Watson to answer his question. I am the fellow that he wants to answer the question, but he did not have courage enough to get up and ask me to answer the question. I got under his skin a little bit at the last meeting and made him change some of the statements that he made and it hurt, and he is coming in here today with that venom. I have no apologies to make to him. I was not sent here by him because I know that he would not be allowed to vote for me from the angle in which he comes. So I am making no apologies to him or to any other Good Government nominee, because I did not come here from that element, and therefore I have no apologies to make to the Good Government Association for my vote. The other councilor who has talked in opposition to it I believe has an absolutely honest purpose. He talked against it a week ago. He talked against it two weeks ago. He was honest in his contention, but as to the

first man to bring it up today, nobody knows what he said about it. Maybe he was waiting for an opportunity to change, and somebody beat him to it. I have no apologies to make to the councilor on the other side for any vote. Maybe if he knew the real reason why I changed, or one of the reasons, was I did not want to have the newspapers say, "Three Good Government members with Coun. Moriarty," because that would be a tough position to put me in. And if I did ever have the respect of people who are opposed to the Good Government I would have lost it if the newspapers had given me that heading. I never had the Good Government Association's indorsement, and I never expect to get it, because if they offered it to me I would refuse to accept it because I know it would mean my defeat. If the councilor who was the starter of this will remember in my opposition to this measure that I said if the Mayor of Boston would agree to go through with this proposition to Boylston street I would vote for it, and the Mayor of Boston has agreed with me that he is going in to the next Legislature to ask for a loan outside the debt limit to put Province street through to Boylston street, and before I voted for the measure I got that promise from the Mayor of Boston that it was his intention to go to the Legislature and ask for a loan order to put it through to Boylston street. The councilor on the opposite side could have got that. He could have got it a week ago if he so desired. He said that nobody got up to explain to citizens of Boston. I did not know that he was the guardian of everybody. I knew he was once guardian of Jerry Desmond and Bob Bottomley and a few more of the elite in the town, but I did not know that he was my guardian, and I don't intend that he shall be, either this year or next year, while I sit in this body, and if I so desire to change my vote I have no apology to make to the councilor on the other side at any time. I do not know what his game is. Maybe he might be interested in Cambridge street. I know there are a lot of people that are close to him, that have supported him in every election, that of course that is their aim, Cambridge street. Is it possible that the words of the last speaker may have thrown light on to something, that they desire to lick Province street for the purpose of carrying through Cambridge street? There has been a lot of spark down there for many years, for widening Court street and Cambridge street. Is it possible that since the last meeting—and a week ago last Sunday there was a big cut in one of the Boston papers in regards to Cambridge street—is it possible that the people who were responsible for having that cut in the Boston papers a week ago last Sunday are responsible for having this man come here today and bring about the situation that is here on the floor? I voted "no" on the first reading. I voted "yes" on the second reading after being assured by Mayor Curley that it was his intent to go through to Boylston street. In my talk I said that if the Mayor would agree to go through to Boylston street I would be with him. And I am with him, and I have no apologies to make to the councilor on the other side or to any other councilor in here, to the Good Government Association or anybody else outside of the real electorate of the City of Boston, and I am satisfied to put my destiny in their hands.

Coun. HAGAN—Mr. President, I had thought that during my period of time in this Council I had established a fair degree of reputation for at least having the courage of my convictions, yet I was compelled to listen here today to a tirade against me that I was lacking in courage. I am going to refute that argument here and now. When I got on my feet previously in this meeting to seek enlightenment on this big project I said that there were two members in this Council who were consistently in favor of the widening of Province street, that I knew

the reasons that actuated them, and in a measure I had respect for those reasons; but I have lived long enough in a political atmosphere to have absorbed some of it into my system, to the detriment of that system. Therefore, when Coun. Watson and Ford stood up in here to make a statement as to why they voted for this widening of Province street, it was no new enlightenment to me. I knew what their arguments were, for they were the two that were consistently in favor at all times of this project; but I wanted enlightenment from four who were opposed and who suddenly turned turtle and voted for it. I wanted to know the reason if I could, for perhaps I would vote for it if they could give me a true and proper enlightenment. I listened to my esteemed friend on the right, Coun. Watson, to the arguments that he advanced when he spoke of the Boston *Herald* project as outlined by them of arcing Province street. He lost sight of the fact that the arcing cannot take place until the widening has taken place, and the Boston *Herald* is opposed to the widening and only injected the article for arcing in case the widening was accomplished. My good friend, Coun. Moriarty, opposite, did state in his argument before the committee on finance which he now takes me to task because I did not quote his exact words, oh, he knew then I could not except from memory, for the words were not taken down in the stenographic report; it was in the meeting of the committee on finance, when a stenographer is not present; but we all heard those words, and we all heard the charge that he made against Mr. Shoolman and his associates, we all got his viewpoint clear and without question of doubt. Why, a deaf man in the remotest corner of the gallery would have known just what he was saying and just what he meant. He was absolutely and apparently unalterably opposed to the measure on that day. Now we are told that he voted for it because the Mayor says he is going to extend that widening of Boylston street. Well, the Mayor may begin to fly over the moon, but I don't have to take that as an accomplished fact. And he is going to the Legislature to get official sanction for the further extension. Gentlemen, listening to common sense and reason, isn't it an argument that all this should be done first and not last; that the Legislature should be solicited to grant this great, big loan, public improvement, if this is supposed to be the first step in that direction? Why not go to the Legislature first and get their approval? For perhaps when you do get there you will find the approval will not be granted. And I am going to prophesy that this so-called first step will not be completed 100 years from today. In public projects as in private individual action, a bad beginning makes a bad ending, and we are making a mighty bad beginning here. Well, I listened to what the gentleman opposite said and it seemed as if most of his address or talk was devoted to making and taking a crack at me because I was comparatively silent during the early discussion of this important project. There is nothing new about that. I prefer to be silent at all meetings except on questions of fundamental importance. My mind was clear from the beginning as to what was best for the interests of the City of Boston, as I see it, to vote against this measure. The gentleman says he offers no apologies to me for his vote, but I did not ask for an apology. For the moment I did not hardly believe that his vote demanded or needed an apology. He evidently thinks it does. I asked for an explanation, and I got abuse but no explanation. The only thing that could by any stretch of the imagination be considered explanatory was that the Mayor said to him that he was going to extend this widening to Boylston street and go to the Legislature the next year to get legislative sanction. But why didn't the Mayor say that to me, to all the members here who are consistently opposed to this widening? What is the secret meeting that calls for these secret

communications from the Mayor to certain members of this Council and not to other members? I am not alone in my curiosity in this matter. Representatives of the press appear to be curious. I read in a recent edition under date of August 2 this paragraph right after our last meeting:

"A further indication that Mayor Curley is the master mind in the administration is favorable action which the City Council has taken on the \$250,000 loan order for the widening of Province street after weeks of debate and delay and parliamentary cross currents. A week ago the measure seemed doomed because the necessary two thirds vote appeared impossible. However, Coun. James T. Moriarty, who had vigorously opposed the proposition in its present form, voted in favor when it came up for its first reading. . . . The vagaries of City Council action seem to surpass all understanding."

Therefore, does it not appear that others are curious as well as I am? The statement has been made here only in the form of an intimation or a possible suspicion by my esteemed friend, as it were, apologizing for those who turned turtle and voted for this measure, as against those who are consistently opposed, in my judgment, and are now opposed to the measure as against public interest, and the councillor said with a note of apology in his tone, whether so intended or not, that perhaps the members of this Council who changed their sentiment in their vote were actuated by reasons that were selfish and not, as he put it, entirely civic. He said perhaps the business interests or perhaps the members were interested in those business interests or those owners of property. Is that so? Is the reason why other members here voted for this measure, that to my mind is so opposed to the public interest, because they are personally interested in the property owners and want to do them a favor at the expense of the public treasury? Is that so? I don't know, but the intimation was that "possibly" that was so. And again I repeat it was an intimation only, not a direct statement. Much has been said in here of a public-spirited nature on the part of my good friend on my right. Oh, I do think that he does possess a great deal of good, honest-to-God public spirit. He even apologized for some of his actions and his votes in the past that he characterized as being small and without vision; but, gentlemen, have you ever stopped to consider that old adage; that you can't have your cake and eat it too? When are the citizens of Boston going to realize fully and well that they can't spend their money and have it likewise? When are they going to realize that money cannot be frittered away in unnecessary measures, in wasteful measures, cannot be frittered away in measures that do not redound to public good, and yet have that money for the great big projects that stare us in the face day after day, that are being cried for by the community? That \$250,000 that is going to be sunk into Province street to make a parking station for automobiles could be, with much better grace and more satisfaction to the citizens of Boston, spent in Dorchester, in Roxbury, in South Boston, and in some other place where the public are clamoring for improvements in their home districts. You cannot spend that money there because we are going to spend it on Province street, and we won't have it for Dorchester. That is only an example of the great many cases that come up in this body where money is appropriated unwisely for projects that are not necessary to the public good or the public welfare, and the result is we do not have the money for the crying demands of the people in all sections of the city. Gentlemen, the attack is on me. He never misses an opportunity to take a crack at me and I am never going to embrace an opportunity to get at him, for whether he likes me or not is of no great importance to me. I like him. I am, therefore, not going to place myself in the position of posing here as his guardian,

to which he took exception, because if I was his guardian I would carry a whip around with me. Why? Well, in my judgment, as his guardian and his elder, he needs a spanking. The newspaper article says that Mayor Curley has proven himself to be the master mind. Is it a case where the Mayor cracked the whip? We have heard of cracking whips in this body before. No opportunity is left undone to talk about the Good Government whip that is being cracked over me, and I am so deaf I never heard it. Did the Mayor crack a whip? I have been told that the arguments that have changed the vote came from the Mayor's office. What were the arguments? I have heard only one—a wild, visionary one of a project that is going to cost forty to fifty millions, and the Legislature has not been asked to pass upon it. That is the only explanation that has been offered. I hope I am going to get some more. I hope I am going to find out how substantial were those arguments that came from the Mayor's office,—if they came from the Mayor's office, as I am told they did,—and I would like to know why the Mayor did not care to give me the benefit of his superior wisdom and judgment so that I may stand here and vote with greater enlightenment than I am going to be able to do because the Mayor has not seen fit to enlighten me. But he has seen fit to enlighten enough to turn a vote of seven against and two in favor to a vote of six in favor and three against, or in other words, he has just seen fit to enlighten enough votes to get six votes to pass the measure and the other three of us are neglected and ignored and treated as illegitimate children not entitled to the confidence of the Mayor. Was this the real crack of the whip we have heard so much about? Was it the crack of a whip that changed these votes, or was it some other argument, more substantial and more visible than a crack of the whip? What was it? I ask the question, and the public of Boston are going to continue to ask that question, and we have not heard the last of it here today.

The order was passed, yeas 6, nays 3, the vote being as follows:

Yeas—Coun. Brickley, Donoghue, Ford, Moriarty Walsh, Watson—6.

Nays—Coun. Gilbody, Hagan, Lane—3.

PLAYGROUND, BALDWIN PLACE.

President BRICKLEY called up unfinished business, No. 4, viz.:

4. Ordered, That the sum of \$70,000 be appropriated to be expended by the Park Commissioners for playground, Baldwin place, and that to meet said appropriation the City Treasurer be and hereby is authorized to issue, from time to time, on the request of the Mayor bonds or certificates of indebtedness of the City of Boston to said amount.

On July 31, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

Coun. WATSON in the chair.

TRANSFERS, MUNICIPAL BUILDING, OLD WARD 12.

Coun. WATSON called up unfinished business, No. 5, viz.:

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Recreation Building, West Roxbury, \$25,000; Quincy Market Building, \$7,000, to the appropriation for Municipal Building, Old Ward 12, furnishings, etc., \$32,000.

On July 31, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 9, nays 0.

UNCLAIMED BAGGAGE.

Coun. WATSON for Coun. MORIARTY, for the Committee on Unclaimed Baggage, submitted a report on petition of Boston & Maine Railroad (referred August 7) for leave to sell unclaimed baggage—recommending the passage of the following, viz.:

Ordered, That the Boston & Maine Railroad be and hereby is authorized to sell at public auction on or before September 15, 1922, after publication of the time and place of sale, according to law, the articles left and remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted; order passed.

RECESS TAKEN.

The Council voted at 3.50 p. m., on motion of Coun. BRICKLEY to take a recess subject to the call of the President. The members of the Council reassembled in the chamber and were called to order by the President at 4 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor, communications and orders (referred today) transferring \$1,000 in Park Department, and \$791.71 in Public Works Department, Water Service—that the orders ought to pass.

Report accepted; order passed, yeas 9, nays 0.

2. Report on message of Mayor, communication and order (referred today) for transfer for portion of Geneva avenue and East Second street to the custody of the Park Department for playground purposes—that the order ought to pass.

Report accepted; order passed.

LEAVE OF ABSENCE, CITY EMPLOYEES.

Coun. FORD offered an order—That the heads of departments be authorized to grant a leave of absence, without loss of pay, to employees who are elected delegates by their respective bodies to attend the state con-

vention of state, county and city employees on September 30, October 1 and 2, 1922.

Passed under a suspension of the rule.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all matters transacted at the meeting, hoping that the same would not prevail. Lost.

NEXT MEETING.

Coun. DONOGHUE.—Mr. President, I know, of course, that the motion to adjourn for a month is not debatable, but I think that a rather long time to adjourn for.

President BRICKLEY.—You can call a special meeting at any time the Mayor wants or the Council wishes.

Coun. DONOGHUE.—We had an experience similar to this, Mr. President, about a month ago, where we moved to adjourn for a month and we had two special meetings called, to my knowledge, during the period we were supposed to be adjourned for. It seems to me that there is always something coming up from one week to the next, and I think that a great, big city like this, or city government, ought not to be adjourned for an entire month. I do not think it would be any great hardship upon the members of this Council to meet one day a week, on each Monday, and if any member of the Council is not present, why, most of the other members will be present, and the business of the city can be transacted. Of course, I know that there can be a special meeting called at any time, but still I believe we ought not to pass over to the Mayor or the President of the City Council the duty to call for special meetings. I think that we meet but little enough when we meet once a week, and I think that we ought to meet every week. I would like to amend that motion to adjourn, to meet one week from today.

Coun. HAGAN.—Mr. President, I hope the amendment will not prevail. It has been the custom of this body to adjourn for at least a month or six weeks during the heated term in pretty nearly every year, and never have we met unless pressing city business so compelled us. The calendar is now cleaned up, there isn't anything special that any of us know anything about that has to bring us here next Monday, and if there is anything special that does come up the Mayor always has it within his province and power to call a special meeting of the Council, or the President of the City Council has that power in his control, and there is nothing to prevent a meeting being called, with a quorum here to transact city business.

Adjourned to meet September 11, 1922, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, August 28, 1922.

Special meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., Councilor WATSON, senior member, presiding and a quorum present.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty-five traverse jurors, Superior Criminal Court, First Session, September sitting, to appear September 5, 1922.

Frederick Joyce, Ward 1; Thomas A. Niland, Ward 1; Victor McDonald, Ward 2; Augustus Doyle, Ward 3; James H. McNichol, Ward 3; Cameino Calviere, Ward 5; Frederick J. Cavagnaro, Ward 5; Thomas D. Hallahan, Ward 5; Morris O. Potash, Ward 5; Samuel Reamer, Ward 5; Thomas J. Degnan, Ward 7; Jacob S. Gaines, Ward 7; Walter F. Manchester, Ward 7; Charles Cunningham, Ward 8; Allen W. Rowe, Ward 8; Jacob Goodman, Ward 9; Frederick S. Lawson, Ward 11; John J. Donahue, Ward 12; James Mulvee, Ward 12; Maurice F. Welch, Ward 13; Charles A. Doherty, Ward 14; Henry J. Lowney, Ward 14; Joseph W. Murray, Ward 15; Thomas F. Callahan, Ward 16; William Cohen, Ward 16; Lester W. Walkup, Ward 16; John Grundy, Ward 17; Harris Paisner, Ward 18; Edward M. Simpson, Ward 18; Richard J. Dwyer, Ward 20; William J. Elton, Ward 20; Fred L. Mitchell, Ward 20; E. Howard Thayer, Ward 20; Ernest L. Corson, Ward 21; Rubin Forman, Ward 21; James E. Hastings, Ward 21; Philip Horwitz, Ward 21; Charles D. Wilson, Ward 21; Francis A. Guell, Jr., Ward 22; Harry W. Jewett, Ward 22; Clarence G. Guild, Ward 23; Edward F. Orchard, Ward 23; Stephen J. Reilly, Ward 23; Harry S. Trethewey, Ward 23; William J. Trainor, Ward 26.

Forty-five traverse jurors, Superior Criminal Court, Second Session, to appear September 13, 1922.

Herman L. Cootey, Ward 2; John J. Donovan, Ward 2; John H. Doyle, Ward 2; John W. Geary, Ward 2; Edward F. Henneberry, Jr., Ward 2; Joseph P. McDonough, Ward 2; Patrick Manley, Ward 3; Patrick Devlin,

Ward 4; Richard F. J. Cunningham, Ward 5; John O'Hare, Jr., Ward 5; Manuel Oliver, Ward 5; Antonio Pepe, Ward 5; John J. Carr, Ward 6; Frederick H. Annis, Ward 7; Herbert W. Smith, Ward 8; Edward R. Warren, Ward 8; Julius H. Clews, Ward 10; Malcolm McDonald, Ward 10; Daniel P. O'Connor, Ward 10; Francis S. Clancey, Ward 12; Charles E. Clarke, Ward 13; Edward A. Gardner, Ward 13; Oliver B. Coe, Ward 14; John J. Curley, Ward 15; William F. McKinnon, Ward 15; Herbert E. Montgomery, Ward 16; Morris Silverberg, Ward 16; George W. Adlard, Ward 17; George Berry, Ward 17; Michael J. Bradley, Ward 18; John J. Donovan, Ward 18; Max Rapoport, Ward 19; Daniel Henry Rose, Ward 19; Valentine Edward, Ward 19; Wallace W. Wilder, Ward 19; Andrew E. Butland, Ward 20; Robert Crichton, Ward 21; John Shepard, 3d, Ward 22; James Powers, Ward 24; Edmond A. Fordyce, Ward 25; Milton W. Marks, Ward 25; John P. Buckley, Ward 26; E. Hayden Collier, Ward 26; Casper C. Marsden, Ward 25; Daniel D. Shea, Ward 20.

Forty-five traverse jurors, Superior Criminal Court, Third Session, to appear September 13, 1922.

William F. J. Doherty, Ward 1; Giuseppe Camuso, Ward 2; Edward Desmonda, Ward 5; Max Davis, Ward 6; Michael J. Duggan, Ward 6; John R. Lydon, Ward 6; Harold W. Murphy, Ward 6; Joseph P. Regan, Ward 6; Harry D. Kirkland, Ward 7; Theodore Mays, Ward 8; Eugene D. Callahan, Ward 9; Daniel F. Hennessy, Ward 9; William H. Lynch, Ward 9; Thomas J. Lane, Ward 10; John E. Rull, Ward 10; John J. Austin, Ward 11; Michael Beecher, Ward 12; Tyler P. Morrison, Ward 12; George E. Moore, Ward 13; Douglas P. Rainey, Ward 13; James P. Ford, Ward 15; James Jackson, Ward 16; Jacob S. May, Ward 16; Joseph Mode, Ward 16; Duane White, Ward 16; Charles E. Johnson, Ward 18; Milton P. Sadler, Ward 18; Louis Libman, Ward 19; Samuel I. Prenovitz, Ward 19; George S. Staniels, Ward 19; Joseph E. Cheney, Ward 20; John Roper, Ward 20; Alfred B. Thatcher, Ward 20; William Gitlin, Ward 21; Simon M. Kahn, Ward 21; Peter F. Grady, Ward 22; Gustaf Anderson, Ward 23; Albert P. Bauer, Ward 23; Thomas Keiran, Ward 23; Patrick McElroy, Ward 23; Laurence J. Hunter, Ward 24; Philip McMorro, Ward 25; David Fraser, Ward 26; Thomas P. Higgins, Ward 26; Melcher W. Sellgren, Ward 20.

Adjourned at 3.22 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 11, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m. President BRICKLEY in the chair. Absent Coun. Donoghue, Ford, Watson.

JURORS DRAWN.

Jurors were drawn in accordance with the law (the Mayor not being present), viz.:

Thirty-four traverse jurors, Superior Civil Court, First Session, October Sitting, to appear October 2, 1922:

Patrick H. Flaherty, Ward 3; William L. Gallagher, Ward 3; John H. Whelan, Ward 3; Lemuel Woodman, Ward 4; Frank J. Gibbons, Ward 5; John J. Manix, Ward 5; William B. O'Brien, Ward 5; Charles H. Haley, Ward 7; Elmer L. Stoddard, Ward 7; Edwin C. Foss, Ward 8; George A. Hevl, Ward 10; Frank G. Parsley, Ward 10; James F. Cahill, Ward 11; Edward L. Fandel, Ward 12; Frederick A. Bartlett, Ward 13; Frank Landy, Ward 13; William McDaniel, Ward 13; Roger F. Scannell, jr., Ward 14; John F. Galvin, Ward 15; Joseph E. Silver, Ward 16; George M. Warren, Ward 16; Philip E. Endres, Ward 17; Robert F. Keating, Ward 17; Thomas B. Bradley, Ward 18; William B. Carr, Ward 20; Arthur C. Macdonald, Ward 20; Clinton W. Abbott, Ward 21; Joseph A. Barry, Ward 21; August V. Gustafson, Ward 21; Peter G. Rutherford, Ward 23; James Ward, Ward 23; Henry F. Wedding, Ward 24; Charles Beaudoin, Ward 26; Seymour Buchanan, Ward 26.

Thirty four traverse jurors, Superior Civil Court, Second Session, October Sitting, to appear October 2, 1922:

Elmer E. Meehan, Jr., Ward 3; George S. Murodock, Ward 3; Thomas J. Abbott, Ward 4; Joseph Fernandez, Ward 4; Sam Altman, Ward 5; John T. Lundquist, Ward 5; Jacob S. Rosenbloom, Ward 5; Henry C. Butler, Ward 7; Vesper L. George, Ward 7; Hjalmar M. Bolstad, Ward 9; Andrew J. McBrearty, Ward 9; John J. Mahoney, Ward 10; Henry R. Maharani, Ward 11; James L. McKellar, Ward 11; Jacob Haertl, Ward 14; John F. White, Ward 14; Timothy E. Mahoney, Ward 15; Elijah D. Brooks, Ward 16; William F. Bryant, Ward 16; Samuel W. Fleisher, Ward 16; James F. Hennessey, Ward 17; Bernard McGuckin, Ward 17; Isaac Dreyer, Ward 19; John J. O'Callaghan, Ward 20; Frederick G. Rodin, Ward 20; Abraham Barkin, Ward 21; Sven S. Borgstrom, Ward 21; Alexander White, Ward 21; James F. Dolan, Ward 22; Almon W. Browne, Ward 23; Henry E. Hammond, Ward 23; Alfred M. Millhouse, Ward 23; Michael D. Day, Ward 24; Charles E. Jenkins, Ward 25.

Thirty-four traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear October 2, 1922:

Harold F. Hayes, Ward 1; John T. Peterson, Ward 1; Jesse L. Gomez, Ward 2; Israel Bloom, Ward 5; Prisco Cappuccio, Ward 5; Abraham M. Laham, Ward 5; Solon C. Munsey, Ward 5; John J. Connors, Ward 6; Maurice A. Levy, Ward 6; Abraham Addis, Ward 8; Ernest A. Hanson, Ward 11; William F. Harty, Ward 11; James P. Knight, Ward 11; Maurice A. Daniels, Ward 12; Charles J. Tenney, Ward 12; John J. Connor, Ward 12; Richard Murphy, Ward 15; C. Raymond Allan, Ward 16; Herbert S. Marshall, Ward 16; Joseph A. Buckley, Ward 18; James B. Cogan, Ward 18; Daniel B. Coughlan, Ward 18; William Field, Ward 18; Patrick J. Walsh, Ward 18; Alexander McKinnon, Ward 19; Edward P. Adams, Ward 21; Edward J. Baynton, Ward 21; Daniel Caggiula, Ward 21; Carl W. Peterson, Ward 21; Thomas Manson Drews, Ward 23; James J. O'Connell, Ward 24; G. Harold Polley, Ward 25; Edward Wingersky, Ward 25; Allen N. Hinkley, Ward 26.

Thirty-four traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear October 2, 1922:

James A. Skahan, Ward 1; Mark Quinn, Ward 3; James A. Ronan, Ward 3; Frederick T. Welch, Ward 3; Michael Crilley, Ward 4; Joseph A. Mahoney, Ward 5; Patrick J. O'Keefe, Ward 5; Edward J. Stevens, Ward 5; Joseph Teven, Ward 5; Frank A. Murray, Ward 6; Charles H. Record, Ward 6; Anson G. Cox, Ward 7; Albert A. Hussey, Ward 8; Jacob Powell, Ward 9; James Sullivan, Ward 9; Arthur C. Spaulding, Ward 11; George J. B. Nisbet, Ward 13; Michael A. Connor, Ward 14; John Manning, Ward 14; Dennis F. Reardon, Ward 14; William J. Mulloney, Ward 15; Alfred Dannahy, Ward 17; Frederick A. Kopp, Ward 17; John J. McCaffrey, Jr., Ward 17; James H. Coughlin, Ward 18; Israel Kagno, Ward 18; Albert V. Lawton, Ward 18; Frank Pettiti, Ward 19; James McEtrick, Ward 20; George T. Sullivan, Ward 21; John Brooks, Ward 22; John T. O'Keefe, Ward 24; Edward H. Nelligan, Jr., Ward 25; Charles F. Young, Ward 25.

Thirty-four traverse jurors Superior Civil Court, Fifth Session, October Sitting, to appear October 2, 1922:

James A. Muldoon, Ward 1; Peter LaCourt, Ward 2; Peter Joseph McDonald, Ward 5; James O'Connor, Ward 5; James D. Prindle, Ward 5; Jeremiah V. Murphy, Ward 9; Francis H. Corrigan, Ward 10; Eugene V. McAniff, Ward 10; John F. Griffin, Ward 11; James C. Whoolley, Ward 11; Leo F. Doble, Ward 13; George H. Pentz, Ward 13; James A. Gould, Ward 14; Daniel F. Kenney, Ward 14; Stanley W. Gallo, Ward 15; Frederick W. Bickford, Ward 16; Joseph F. Mollif, Ward 16; Joseph Cohen, Ward 17; William F. Harrington, Ward 17; James J. Sheridan, Ward 17; John W. Twombly, Ward 18; Solomon Lihner, Ward 19; George W. Markham, Ward 19; Nathaniel W. Paine, Ward 19; John J. Barry, Ward 20; Franklin J. Cram, Ward 21; John A. Andren, Ward 22; David T. Ogg, Ward 22; Charles E. Guitarr; Ward 23; James H. McCue, Ward 23; Louis Miller, Ward 23; Paul R. Palmer, Ward 23; Arthur P. Hall, Ward 25; Isaac W. Koskela, Ward 25.

Thirty-four traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear October 2, 1922:

John A. Hunt, Ward 2; James R. Nolan, Ward 2; Thomas Murphy, Ward 3; Frank A. Goggin, Ward 4; Dennis M. Healy, Ward 5; James Kaufman, Ward 5; Joseph White, Ward 5; Andrew J. English, Ward 6; Samuel Gordon, Ward 6; James J. Doyle, Ward 9; John J. Dromey, Ward 9; William M. Moore, Ward 9; John H. Barry, Jr., Ward 10; Henry F. Koerber, Ward 10; Hugh F. McDevitt, Ward 10; Russell Follansbee, Ward 12; Edwin B. Nourse, Ward 13; Joseph D. Gill, Ward 14; Leon G. Finley, Ward 16; William J. Wherty, Ward 17; Daniel M. Drew, Ward 18; Michael L. King, Ward 18; Neil McInnis, Ward 18; Philip L. Markell, Ward 19; Charles P. Rodgers, Ward 19; Charles S. Spitz, Ward 19; John V. Anderson, Ward 20; John C. Ballem, Ward 20; George J. Nolan, Ward 22; Joseph A. Richburg, Ward 22; Louis J. Drummey, Ward 24; Ernest G. A. Dennett, Ward 25; George W. Stuart, Ward 26; Thomas E. Fleming, Ward 11.

Thirty-four traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear October 2, 1922:

James A. Gorman, Ward 2; Harry Libber, Ward 2; George W. Pope, Ward 2; John H. Kelly, Ward 4; Timothy W. Crowley, Ward 5; Robert B. Farley, Ward 5; Charles L. Hennessey, Ward 5; Samuel Calley, Ward 6; Langdon L. Matthews, Ward 8; Charles W. Pyszant, Ward 8; Edward A. Willender, Ward 11; Walter H. Wilson, Ward 11; William E. W. Felt, Ward 12; Alexander D. Ritchie, Ward 12; John Maguire, Ward 14; Herbert A. Seavey, Ward 16; Harry F. O'Loughlin, Ward 18; Harry Berman, Ward 19; George T. Jones, Ward 19; Ralph Radlo, Ward 19; Jacob Schneider, Ward 19; Eldon S. Clark, Ward 20; Edmund L. Fortier, Ward 20; John A. Higgins, Ward 20; James L. McCabe, Ward 20; Edward L. O'Brien, Ward 20; Henry J. O'Keefe, Ward 20; Austin R. Turner, Ward 20; Benjamin Ginsberg, Ward 21; James H. O'Neil, Ward 21; Joseph L. Heffernan, Ward 22; Merton P. Ellis, Ward 24; Andrew A. Cunniff, Ward 26; Louis De Santis, Ward 26.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, September 11, 1922.

To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint the following named persons to be Weighers of Goods for the term ending April 30, 1923:

William H. Muldoon, 59 Mt. Vernon street, Brighton; Henry W. Bokelman, 20 Empire street, Allston; Charles E. Goode, 100 Winthrop road, Brookline; Horace W. Moody, 70 Neponset avenue, Dorchester; Thomas A. Holt, 24 Savin street, Roxbury; James J. Powers, 47 Saratoga street, East Boston; Claude J. Borden, 17 Norfolk street, Cambridge; George Littlewood, 19 Eastman street, Dorchester; Richard E. Coyne, 38 Maverick road, East Dedham; A. J. Merigold, 67 Moraine street, Jamaica Plain.

Respectfully,
JAMES M. CURLEY, Mayor.

Laid over under the law.

TRANSFERS OF APPROPRIATIONS.

City of Boston,
Office of the Mayor, September 11, 1922.

To the City Council:

Gentlemen,—I transmit herewith requests for transfers within department appropriations and respectfully recommend the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Park Department:

From the appropriation for A-1, Permanent Employees: Laborers, Mechanics, etc., 347 at \$4 per day, \$2,500, to the appropriation for A-2, Temporary Employees, \$2,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Bridge Service:

From the appropriation for A-1, Permanent Employees, Assistant Engineer, 1 at \$3,200 per year, \$300; Assistant Engineer, 1 at \$2,800 per year, \$1,200; Senior Engineer, 1 at \$2,200 per year, \$400; Junior Engineer, 1 at \$2,100 per year, \$600, to the appropriation for A-2, Temporary Employees, \$2,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Buildings Department:

From the appropriation for A-1, Permanent Employees: Elevatormen and Elevator Attendants, 8 at \$4 per day, \$90, to the appropriation for A-2, Temporary Employees, \$90.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Boston Sanatorium:

From the appropriation for A-1, Permanent Employees: Nurses, 28 at \$340 per year, \$900, to the appropriation for A-2, Temporary Employees, \$900.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Soldiers' Relief Department:

From the appropriation for A-1, Permanent Employees, Commissioner, 1 at \$5,000 per year, \$115, to the appropriation for B-1, Printing and Binding, \$75; B-12, Premium on Surety Bonds, \$10; B-35, Fees, Service of Venues, etc, \$15; B-39, General Plant, \$15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Printing Department:

From the appropriation for A-1, Permanent

Employees, Foreman, 2 at \$2,400 per year, \$1,050, to the appropriation for A-1, Permanent Employees, Foreman (casterman), 1 at \$2,500 per year, \$1,050.

From the appropriation for A-1, Permanent Employees, Superintendent, 1 at \$5,000 per year, \$1,000, to the appropriation for B-22, Medical, \$500; F-11, Workingmen's Compensation, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Overseeing of the Public Welfare Department, Central Office:

From the appropriation for A-1, Permanent Employees, Visitor, 1 at \$1,500 per year, \$315, to the appropriation for A-1, Permanent Employees, Clerk, 1 at \$780 per year, \$315.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Ferry Service:

From the appropriation for B-39, General Plant, \$3,500, to the appropriation for A-2, Temporary Employees, \$3,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees, Physician, 1 at \$48.61, \$68.05 per week, \$78.03; Physicians, 3 at \$38.89 per week, \$875.03; Physicians, 3 at \$35 per week, \$15; Physicians, 7 at \$29.17 per week, \$456.73; Physicians, 3 at \$23.33 per week, \$166.62; Physicians, 2 at \$19.44 per week, \$202.64; Clerks, 4 at \$25-\$27 per week, \$216.96; Clerks, 3 at \$21 per week, \$2; Clerks, 4 at \$20 per week, \$314.75; Clerks, 3 at \$19-\$20 per week, \$243.39; Clerks, 5 at \$18-\$19 per week, \$49.32; Clerks, 6 at \$16-\$17 per week, \$28.02; Clerks, 2 at \$14-\$15 per week, \$2,50; Clerks, 2 at \$14 per week, \$93.33; Clerk, 1 at \$7 per week, \$142.34; Technicians, 3 at \$25 per week, \$508.35; Technician, 1 at \$18-\$38.89 per week, \$77.78; Clerk, 1 at \$18-\$23.33 per week, \$3.33; Clerk, 1 at \$18 per week, \$378; Technicians, 3 at \$14-\$15 per week, \$145.88, to the appropriation for A-2, Temporary Employees, \$4,000.

From the appropriation for A-1, Permanent Employees, Technicians, 3 at \$14-\$15 per week, \$1.52; Technician, 1 at \$14 per week, \$23.48, to the appropriation for B-12, Premium on Surety Bonds, \$25.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Paving Service:

From the appropriation for B-11, Horseshoeing and Clipping, \$100, to the appropriation for B-22, Medical, \$100.

Referred to the Executive Committee.

TRANSFER FOR ZOOLOGICAL GARDEN.

The following was received:

City of Boston,
Office of the Mayor, September 9, 1922.

Gentlemen,—I transmit herewith communication received from the Chairman of the Park Commission, requesting a transfer of \$5,000 from the Zoological Garden Improvements for the erection of two refreshment booths at Franklin Park, and respectfully recommend the passage of the accompanying order.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, August 22, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—You are respectfully asked to make a request on the City Council for permission to erect two refreshment booths at Franklin Park, \$5,000, near the Zoological Garden, and charge same to Zoological Garden Improvements.

Very respectfully yours,
JAMES B. SHEA,
Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Zoological Garden, Improvements, \$5,000, to the appropriation for Franklin Park Building, Improvements, etc., \$5,000.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committee named, viz:

Claims.

Lena Ahearn, for compensation for injuries received from a fall on Decatur street.

Nellie F. Barry, for compensation for injuries received from a fall on Tremont street.

John C. Blake, for compensation for damage to property at 60 Johnswood road caused by shutting off water.

Joseph L. Coffin, for compensation for injuries caused by being run into by fire apparatus.

Gilbert W. Dick, for compensation for injury to horse caused by falling into sewer at Waumbek and Harold streets.

Salvatore Di Natale, for compensation for injuries received from a fall on Thacher street.

Arthur J. Frenier, for compensation for damage to automobile by being run into by fire apparatus.

Ida Fruman, for compensation for injuries received from a fall at entrance to L Street Bath.

Eli Goide, for compensation for injuries received from a fall on Ashland street.

Mary Gorman, for compensation for damage to property at 86 Bunker Hill street by sewer.

Haymarket Tire Company, for compensation for damage to property at 4 Canal street by break in water main.

Mary C. Johnson, for compensation for injuries received from a fall on Washington street.

John F. McVey, Jr., for compensation for damage to care by police wagon.

D. H. Miner, for compensation for damage to property at 6 Gannett street by overflow of water.

Frank and Bessie Murphy, for compensation for damage to property at 90 Bunker Hill street by sewer.

Emil K. Nelson, for compensation for injuries received from a fall on Tremont street.

Salvatore Palmisano, for compensation for injuries received from a fall on Wall street.

Joseph P. Russo, for compensation for damage to property at 125-129 Northampton street by overflow of water.

Sarah Rosenfelt, for compensation for damage to property at 36 Hansborough street by shutting off water.

Arthur L. Wade, for compensation for injuries received from a fall on Green street.

Max Weinberg, for compensation for death of son, Sheppie Weinberg, at City Hospital caused by alleged negligence of staff.

Christine Gonser, for compensation for injuries received from a fall at 89 Minden street.

Thomas Lambert, for compensation for injuries received at games at Franklin Field, August 27, 1922.

Louis Schaffman, for compensation for injuries caused by a Public Works Department vehicle.

Francis J. Tierney, for compensation for damage to car from a collision caused by a defect in Dudley street.

Mrs. John J. Doran, for compensation for injuries caused by a defect in Washington street, near Oak Square avenue.

Mrs. K. O'Brien, for compensation for clothing alleged to have been taken from clothes line at 3 Union court, Charlestown, by ash collectors.

Coleman Andelman, for refund on seven ash tickets.

Charles H. Beaudry, for compensation for damage to automobile by an excavation in Boylston street at Arlington street.

Max D. Bromberg, for compensation for damages at 338 and 338A Blue Hill avenue caused by stopping up of sewer.

W. S. Burnham Company, for compensation for injury to horse by a catch-basin opening at corner Faneuil Hall square and North Market street.

Alice Carey, for a hearing on her claim on account of a defect in highway at Essex and Washington streets.

Elizabeth George, for compensation for injuries caused by a fall on Washington street, between Harvard and Bennett streets.

Henry J. Greene, for compensation for damage to automobile caused by an explosion in hydrant at 28 Leon street.

Richard W. Kelleher, for compensation for injuries caused by a fall on Boston Common.

Marshall Drug Store, Inc., for compensation for damages at 2007 Washington street caused by the falling of a decayed tree.

Fred McDonald, for compensation for injuries caused by a defective manhole cover at 41 Wormwood street.

Mary C. Menes, for compensation for damage by surface water at 4 Otisfield street.

Ftta J. Spaulding, for compensation for damages at 4390 Washington street caused by reconstruction of the street, etc.

Leet W. Bissell, trustee, for compensation for expense incurred at 59-65 Washington Street North, caused by leak in water pipe.

Peter Clasby, for compensation for damage to car caused by an alleged defect at Brook avenue and Dudley street.

Wilhelmina Doering, for compensation for damage to property at 130 Eustis street by the city in repairing fence.

Howard M. Dolbeare, to be reimbursed expense of suit brought against him on account of his acts as a member of the Fire Department.

T. A. J. Hayes, for compensation for damage to car by Police Department.

Hyman Hootstein, for compensation for damage to property at 65 and 67 Canal street by overflow of sewer.

Michael J. Lydon, for compensation for damage to property at 254-258 Bowdoin street, Dorchester, by overflow of sewer.

Mrs. Thomas Manning, for compensation for injury to son from a fall caused by a hole in pathway at Franklin Park.

Marion J. Port, for compensation for injuries received on account of an alleged defect at 1071 Washington street.

Daniel and Mary A. Thompson, for compensation for damage to clothing caused by a defect in Centre street.

Rita Yoffe, for compensation for injuries received from a fall at the Dover Street Bath House.

Romeo W. Bossi, for compensation for damage to property at 4 and 6 Humphreys street by overflow of sewer.

Brighton Dressed Meat Company, for compensation for injury to horse caused by falling into manhole on Northampton street.

Nicholas Ciampa, for compensation for damage caused by pipe bursting at transit work at Maverick square.

Harry Cohen, for compensation for injuries received on the East Boston Ferry.

Mary Curns, to be paid for clothing belonging to her husband lost at the City Hospital.

Rose Goodman, for compensation for injuries caused by being run over by a city automobile.

James T. Murtagh, for compensation for loss of valuables checked at Tenean Beach bath.

Thomas C. Snow, for compensation for expense caused by wrong sewer connection at 81 Charles street.

Abraham Winnick, for compensation for damage caused by wire projecting from tree guard on Allen street.

Louis Waxler, for refund of \$100 paid for license to maintain a gasoline tank at 1374 Columbus avenue, which is not to be installed, he having sold said estate.

Joseph Yanusas, for compensation for damage to automobile by a team of the Public Works Department.

Edward F. Brady, for a hearing on his claim against the Atlas Company.

A. Z. Aronoff, for refund of fee paid for displaying fruit, etc., at 88 Salem street, which building is to be torn down.

Freda Kritzman, for hearing on claim sent to the City of Boston.

Executive.

Petitions to sell, rent or lease firearms, viz.:

P. Amaru & Co., 5 Prince street, Ward 5.

Baker & Kimball, Inc., 38 South street, Ward 5.

Goldberg Brothers, 68 Green street, Ward 5.

Louis Lefkovich, 160 Merrimac street, Ward 5.
M. S. Rosenbaum, 59 Shawmut avenue, Ward 8.
Royal Loan Co., 4 Green street, Ward 5.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of Ascher E. Horowitz, Bronis Kontrim, Corrado Palladino.

Approved by the Council.

NOTICE OF APPOINTMENTS.

Notice was received from the Mayor of the following appointments, certified copies of the same having been sent to the Civil Service Commissioners, viz.:

Hubert J. Ripley, Board of Appeal.
John F. Hickey, Board of Examiners.
Clarence H. Blackall, Schoolhouse Commissioner.
John H. L. Noyes, Soldiers' Relief Commissioner.
James P. Balfie, Statistics Trustee.
Frederic J. Crosby, Sinking Funds Commissioner.
Placed on file.

APPROVAL OF APPOINTMENT.

Notice was received from the Civil Service Commission of the approval of the appointment of Theodore A. Glynn as Fire Commissioner.
Placed on file.

SECRETARY PRO TEM., STREET COMMISSIONERS.

Notice was received from the Street Commissioners of appointment of Edward P. Fogarty as secretary *pro tem.*

RAILROAD POLICE.

Notice was received, in accordance with law, of the appointment of railroad police officers on the Boston & Maine Railroad.

Placed on file.

STREET TRAFFIC REGULATIONS.

Notice was received from the Street Commissioners of making Carruth street, Dorchester, southerly from Ashmont street to Codman street, a one-way street to vehicular traffic, Sundays and holidays included, twenty-four hours a day.

Codman street, Dorchester, easterly from New York, New Haven & Hartford Railroad (Shawmut Branch), to Adams street, Sundays and holidays included, twenty-four hours a day.

Placed on file.

HEARINGS ON PETITIONS FOR GASOLENE LICENSES.

Notices were received from the Street Commissioners of petitions for licenses to store and keep for sale gasolene.

Placed on file.

CLERK HIRE.

A report was received from the Registrar of Deeds, in accordance with the provisions of law, giving the pay roll of his office for the month.

Approved by the City Council.

SIDEWALK SCHEDULES.

Orders were received from the Commissioner of Public Works concerning sidewalk schedules on Centre and Wachusett streets, Ward 22.
The orders were passed.

SIDEWALK ORDERS.

President BRICKLEY offered the following orders, viz.:

That the Commissioner of Public Works make a sidewalk along the northerly side of Jamaica

street, from South street to Woodman street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone under the provisions of chapter 196 of the Special Acts of 1917.

That the Commissioner of Public Works make a sidewalk along the easterly side of Woodman street, from St. Joseph street to Jamaica street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone under the provisions of chapter 196 of the Special Acts of 1917.

That the Commissioner of Public Works make a sidewalk along the southerly side of St. Joseph street, from South street to Woodman street, Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone under the provisions of chapter 196 of the Special Acts of 1917.

Coun. GILBODY offered the following orders, viz.:

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Centre avenue, from Centre street to Dorchester avenue, Ward 20, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Centre street, from Washington street to Centre avenue, Wards 19 and 20, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Coun. WALSH offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along Amherst street, both sides, from Belgrade avenue to Penfield street, Ward 23, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

The several orders were passed under a suspension of the rule.

EXTENSION OF SPANISH WAR VETERANS PLOT.

Coun. GILBODY offered an order—That the Park Department be requested, through his Honor the Mayor, to arrange for an extension of the Spanish War veterans' plot at Mt. Hope Cemetery, as the present site is not large enough.

Coun. GILBODY—Mr. President, I would like to say just a word in connection with the order. The Spanish War veterans' lot in the cemetery is pretty nearly filled, and they are desirous of having an extension, which is available there. That is the purpose of the order.

The order was passed under suspension of the rule.

DRINKING FOUNTAINS, BOSTON COMMON.

Coun. GILBODY offered an order—That his Honor the Mayor be requested to direct the Park Department to install drinking fountains along the Tremont, Boylston and Charles street sides of the Boston Common.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.46 o'clock p. m. to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 2.54 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. HAGAN, for the Executive Committee, submitted the following, viz.:

Report on message of Mayor and orders (referred today) for various department transfers—that the orders ought to pass.

Report accepted; orders passed, yeas 6, nays 0.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 and 2, viz.:

Action on appointments submitted by the Mayor August 14, 1922, viz.:

1. John A. Anderson, to be a Constable.
2. Lorenzo F. C. Stone, to be a Weigher of Goods and a Weigher of Coal.

The question came on confirmation. Committee—Coun. Walsh and Gilbody. Whole number of ballots cast 6, yeas 5, nays 1, Coun. MORIARTY voting nay on No. 1.

No. 2 was confirmed, yeas 6, nays 0.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 3.01 o'clock p. m., on motion of Coun. MORIARTY, to meet on Monday, September 18, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 18, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Ford.

JURORS DRAWN.

Jurors were drawn in accordance with law (the Mayor not being present), viz.:

Forty-five traverse jurors, Superior Criminal Court, First Session, to appear October 3, 1922:

George P. Flynn, Ward 1; Amedeo Govoni, Ward 1; Joseph F. Pierce, Ward 1; Everett G. Redlon, Ward 1; Charlie Broussard, Ward 2; Vincenzo Carbone, Ward 3; Fred D. Kiniry, Ward 4; Oscar Bresnick, Ward 5; John M. Thornton, Ward 5; James S. Dick, Ward 6; John A. W. Crapo, Ward 7; Wallace P. Riddel, Ward 7; Edward F. Curtis, Ward 8; Michael A. Conley, Ward 9; John J. Hennessy, Ward 9; Thomas Harrison, Ward 10; Daniel J. O'Brien, Ward 10; Edward W. Berrigan, Ward 11; William J. Days, Ward 11; Frederick L. O'Connor, Ward 11; Thomas H. Pray, Ward 11; James F. Sullivan, Ward 11; Robert J. Thoms, Ward 11; William C. Bonyman, Ward 12; Daniel J. Clark, Ward 13; David A. Mayers, Ward 13; Joseph B. Kelly, Ward 14; William L. Hoose, Ward 15; Gordon F. Ervin, Ward 16; Frank Parker, Ward 16; Robert Meffan, Ward 17; Abraham Sheffer, Ward 17; Henry A. Delano, Ward 18; John J. Vortisch, Ward 19; Conrad H. Schultz, Ward 20; J. Martin Towle, Ward 20; C. Herman Aspacher, Ward 21; James D. Breen, Ward 22; Thomas F. Cavanaugh, Ward 22; William Curran, Ward 22; Bertus J. Cole, Ward 23; James A. McCormack, Ward 23; Philip W. Carroll, Ward 24; Gorham E. Stanford, Ward 24; John W. Achorn, Ward 25.

Forty-five traverse jurors, Superior Criminal Court, Second Session, to appear October 3, 1922:

Henry S. Anderson, Ward 1; John W. Hayes, Ward 1; Frank C. Humphrey, Ward 1; Walter F. Reardon, Ward 1; William Wilson, Ward 1; John F. Merritt, Ward 2; James F. Powers, Ward 2; Cornelius Manning, Ward 3; Andrew R. Walls, Ward 3; John J. Crowley, Ward 4; Thomas Harte, Ward 5; Joseph A. Sullivan, Ward 5; Harry Sweetman, Ward 5; Patrick J. Buckley, Ward 6; Fred Myers, Ward 6; Arthur E. Saxton, Ward 6; William H. Kendall, Ward 7; George A. Musford, Ward 7; Charles E. Alexander, Ward 8; William H. Colton, Ward 9; William Sloan, Ward 10; Alexander Peters, Ward 11; William D. Shea, Ward 11; Vincent F. Moore, Ward 12; Frank J. Cahill, Ward 13; George E. Matthews, Ward 13; Walter L. Murray, Ward 13; Frederick A. Conkey, Ward 14; Albert L. Farley, Ward 14; James Hanley, Ward 14; John P. Kelly, Ward 14; John J. May, Ward 15; Fred Abt, Ward 16; William F. Cochran, Ward 16; Thomas E. Bishop, Ward 17; Vincent E. Cunningham, Ward 18; Isaac Goltz, Ward 19; Morris Slesinger, Ward 19; Edward S. James, Ward 20; Albert E. MacFarlane, Ward 21; Charles C. Dailey, Ward 22; Henry Nolte, Ward 22; William L. Dougherty, Ward 25; Edward J. Ryan, Ward 26; Michael J. Waldron, Ward 26.

Forty-five traverse jurors, Superior Criminal Court, Third Session, to appear October 3, 1922:

Charles E. Bradshaw, Ward 1; William L. Scott, Ward 2; William J. Plummer, Ward 3; George N. Blake, Ward 5; John McMahon, Ward 5; Samuel Orenberg, Ward 5; Benjamin L. Sparrow, Ward 5; Hugh J. Bradley, Ward 6; Charles J. Monagle, Ward 6; George P. Thomas, Ward 6; Daniel Bousquet, Ward 7; Edwin D. Dodge, Ward 8; Walter J. Noonan, Ward 8; Frederick B. Bacheler, Ward 9; George J. Connors, Ward 9; Patrick Mulcahy, Ward 9; Eben R. Austin, Ward 10; Christopher J. Lavery, Ward 10; Patrick E. Keough, Ward 10; John P. O'Brien, Ward 10; Timothy J. Santry, Ward 10; William G. Costello, Ward 11; John J. O'Brien, Ward 11; Thomas J. Webb, Ward 11;

John J. Halloran, Ward 12; Patrick Morley, Ward 12; Thomas F. Sheedy, Ward 13; James T. Smith, Ward 13; Henry G. Littig, Ward 14; William D. Vickers, Ward 14; James H. Spencer, Ward 16; Martin Cohen, Ward 17; Thomas F. Collins, Ward 17; Roderick J. Chisholm, Ward 17; John T. Cavanagh, 2d, Ward 18; David H. Grandberg, Ward 18; Thomas A. Kelley, Ward 19; Matthew A. Howard, Ward 20; Peter Niosi, Ward 20; George R. Eagles, Ward 21; Thomas F. Flynn, Ward 23; John P. Fox, Ward 24; Orrin J. Brackett, Ward 25; Dwight H. Harris, Ward 25; Thomas J. Morton, Ward 25.

Forty-five traverse jurors, Superior Criminal Court, Fourth Session, to appear October 3, 1922:

John Holland, Ward 1; Daniel F. McBride, Ward 1; Charles A. Rollins, Ward 2; John F. Wright, Ward 2; William A. Cooper, Ward 4; Oscar L. Hanly, Ward 4; Generoso Fuseo, Ward 5; Frederic George Williams, Ward 5; John E. Carland, Ward 7; William L. Watts, Ward 8; Maurice H. Costello, Ward 9; William L. Austin, Ward 10; William D. Bonney, Ward 10; Charles B. Falconer, Ward 10; Thomas F. Quinn, Ward 10; Clinton L. Roberts, Ward 10; George W. Ham, Ward 11; John F. Healy, Ward 11; Albert J. Pike, Ward 11; Timothy Foley, Ward 12; Vincent J. Graham, Ward 12; Kenneth M. Martin, Ward 13; David Solomon, Ward 13; James Ward, Ward 14; Anthony Weber, Ward 15; Donald M. Blair, Ward 16; Wallace P. Lyon, Ward 16; Francis J. Wright, Ward 16; Daniel J. Farrell, Ward 17; Irving F. McLean, Ward 18; Philip Assner, Ward 19; Harry Sharaf, Ward 19; David Stern, Ward 19; William L. McAnaul, Ward 20; Charles A. Garrity, Ward 21; Joseph A. Becherer, Ward 22; Patrick McGuire, Ward 22; John F. Reynolds, Ward 22; Philip C. Imbeschied, Ward 23; Michael P. Lynch, Ward 24; John E. Harvey, Ward 25; William P. Farrell, Ward 25; Timothy McCarthy, Ward 26; William P. Phalon, Ward 26; Harry W. Prout, Ward 26.

APPOINTMENTS BY THE MAYOR.

The following were received:

City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint Alfred F. Geary, 157 Dorchester avenue, South Boston, to the position of Constable of the City of Boston for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:

Gentlemen,—Subject to confirmation by your honorable body, I appoint Samuel P. Rodgers, 660 Tremont street, Boston, a Weigher of Coal for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

Laid over under the law.

PURCHASE OF STEAMER.

The following was received:

City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication received from the Institutions Commission, requesting an appropriation of \$40,000 to purchase and recondition a boat to take the place of the steamer "Monitor," and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Institutions Department, September, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I respectfully ask that an appropriation in the sum of \$40,000 be provided to purchase and recondition a boat to take the place of the steamer "Monitor."

The boiler of the "Monitor" has been condemned by the United States inspectors. It is estimated that it would cost at least \$30,000 to install a new one and make other necessary repairs. We would still have an old boat—one twenty years old.

On September 25, the government is to sell at auction a number of new steel boats. It is believed that it would be to the city's advantage to purchase one and have it reconditioned. I have already had a survey made of the "General Rochester" and believe it could be readily adapted to our purpose.

Trusting that the appropriation may be granted in order that I may submit a bid, I am

Very truly yours,

DAVID J. JOHNSON,
Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$40,000, to the appropriation for Institutions Department, steamer, \$40,000.

Referred to the Executive Committee.

SETTLEMENT OF ATLAS COMPANY CLAIMS.

The following was received:

City of Boston,

Office of the Mayor, September 18, 1922.

To the City Council:

Gentlemen,—Upon September 14, 1922, as a result of a conference between the Corporation Counsel and the attorney for the Atlas Construction Company, an agreement was reached in settlement of the claim of said company against the City of Boston in the sum of \$7,500 for the construction of a sea wall at Deer Island in 1907.

I respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under the authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer the sum of \$7,500 from the Reserve Fund in settlement of the claim of the Atlas Construction Company, in accordance with the provisions of chapter 207 of the Acts of 1922.

The matter was declared referred to the Executive Committee.

Coun. HAGAN—Mr. President, I ask for reconsideration of that reference. I believe from information which has reached me that this is something to which we should give close attention before passing the appropriation order. We have heard from one side of the case, the claimant's side, but evidently there is another side, and I certainly trust that we shall take proper time to give the matter the thought and consideration it deserves before passing the order. Certainly we should try to arrive at some intelligent conclusion before acting. The action we have taken so far has been merely perfunctory. The suggestion I make now is that we appoint a committee and have a public hearing on this matter, giving anybody and everybody on both sides full and ample opportunity to air their views. We can then come to an intelligent conclusion as to what our action in the matter should be. I certainly believe there should be a public hearing.

Coun. WATSON—I voted for this proposition at the recent meeting because I knew that it had merit. I had checked up the Atlas Company claim and found that instead of \$7,500 being justly due, the claimant should receive at least \$12,000. It seems to me there is only one side of the question, and that is the right side. The Mayor has looked into the matter and I am only too willing to approve of his verdict. I don't believe anything will be gained by a public hearing. If the gentleman will tell me what he means by referring to "both sides," I might agree with him. Who is the other side?

Coun. HAGAN—Why, the people on the other side. I understand that there is a great deal of opposition to the passage of the proposition.

Coun. WATSON—Will the gentleman kindly tell me from whom?

Coun. HAGAN—That will appear later. I don't know that it is proper to go into it at this time.

Coun. WATSON—I think now is the time, Mr. President. I think we should know.

Coun. HAGAN—Citizens and taxpayers.

Coun. WATSON—If the gentleman will give me the names of those opposed to the proposition, I will gladly wait.

Coun. HAGAN—I don't think the gentleman should make that request at this time.

Coun. WATSON—Well, I think if somebody is trying to oppose this particular order, and only conveys the information to one member of the body, I, for one, am perfectly willing to ignore that person. I want information that is reliable. Is this some more propaganda? Certainly, I would like to know something about it. I have no desire to disagree with the member on the left on this matter, because he and I voted the same way upon it at the last meeting. We voted to accept the act. I voted for it and I think he voted for it. You voted for it, didn't you?

Coun. HAGAN—Yes.

Coun. WATSON—Why did you vote for the act, in view of the present objections?

Coun. HAGAN—I didn't know there were any.

President BRICKLEY—Would you like to have this go to the Executive Committee?

Coun. WATSON—I would like to see it go through, unless we can get some information on it today. I believe in the city doing justice in matters of this kind. It may be that by delay you will be handicapping that man financially. I am willing to come out in the open and say that I favor the proposition. I believe that instead of receiving \$7,500 this man should receive \$12,000. I think the city is acting in a niggardly way on the proposition. They ruined the man. They did not live up to the contract. There was a guaranty that the gravel should be right near his work. They had no right to guarantee it. The United States Government, which had the right, did not do it, and when he came there the United States Government said, "No," and he had to hire teams and horses. The City of Boston treated the man brutally, ruined him, bankrupted him. Now he has had to wait all these years, the matter being acted upon in three Legislatures and three Councils. I am perfectly willing to say here now that the city ought to pay not the Atlas Construction Company, but the individual who is interested in it. He served with me in the Legislature and in this Council. I will take his word on anything, and unless the gentleman (Coun. Hagan) gives me the names of the people who are opposed to this, I will insist on acting today, whether there are enough votes to pass it or not.

Coun. HAGAN—Mr. President, I do not in any sense or any manner want to put myself in opposition to this order. I know nothing about it. I voted for it when it first came in, as did everybody else. That is, I voted to accept the legislative act. We had no information—at least, I had no information—and it was one of those perfunctory things that comes here quite often and goes through unnoticed. I don't want to say that it does not have merit, that the city should not pay this price. I don't know. The gentleman takes refuge in the fact that I don't care to mention the name of a man who has written a letter to me asking for a public hearing, so that he may appear. I cannot give the names of men who write in that way without consulting with them. I don't know that the gentleman would care to have me do it. But I understand that this man and other men would like to appear at a public hearing. Who may wish to appear, I don't know. But I do know that the Boston Finance Commission under date of August 11 wrote to the Mayor on this subject, in opposition, and, while I have not properly digested their communication, it is very clear that they believe it is an unsound proposition, that this is an amount that the city should not pay. Certainly, therefore, the Boston Finance Commission are entitled to an opportunity to come before this body and air their views. The Finance Commission are the investigating body of the city government, paid by the taxpayers to do this job. I think, out of decency to them, we should give them an opportunity to come in and express their views; and if there are other citizens who also wish to come in and air their views they should have an opportunity to do so. After they have done so, the gentleman's opinion may be changed, or perhaps I might decide against them and vote for the order, after listening to what they have to say. I simply want all the light I can get.

It has been the custom of the body to grant hearings at all times upon matters of public interest, and it seems to me we should not depart from that custom at the present time. I am only asking for a reasonable time to give consideration to the matter, hearing the remonstrants. It seems to me I am entitled to that consideration before coming to a conclusion.

Coun. MORIARTY—Mr. President, I am always in favor of public hearings, but this thing, to my mind, was passed some six or eight weeks ago. We adjourned for four weeks, and met last Monday. Anybody interested as an individual citizen has had ample time to communicate his views, not to you as an individual member of the Council, but to the Council. If he desired a public hearing he has had ample time to ask for that. But, in so far as the Finance Commission is concerned, the result only proves that they are not on the job. They had their say with the Mayor before he rendered a decision, and if they were not satisfied with the decision of the Mayor, they had ample time to request a hearing before this body. But this is simply another example of the crude, snide way that the Boston Finance Commission does its business. The Finance Commission of Boston does not give the same courtesy to this Council that we are willing at all times to give to them. I have no doubt that the member across the way (Coun. Hagan) has a communication from some individual citizen, but I don't believe it compares at all with the letter from the Finance Commission. I will say this, illustrating my feelings toward the Finance Commission, that if they were in favor of this I would be opposed to it and if they were opposed to it I would be in favor of it, because if there was ever a commission that should be wiped out of existence, saving \$40,000 to \$50,000 to the citizens of Boston, it is that commission, with its five members, one active and four inactive, and a paid secretary by the name of Dowling, who is the dominating character of the organization.

Coun. WATSON—Absolutely.

Coun. MORIARTY—It is about time, as far as the Boston Finance Commission is concerned, that we should allow the citizens of Boston to find out who is protecting them. If any member of this body can show me where the Finance Commission of Boston has ever saved a five-cent piece after being in existence practically thirteen years, I will agree to take some notice of their communications. But all I can say is that they have not only used the entire appropriations we have been compelled to give them under the Act of the Legislature, but have in other ways compelled the city to lose many more dollars. I have the calendar here of August 7 of the meeting. It was on August 7, that this body passed the order. The Finance Commission and every individual citizen of Boston then had an opportunity to express themselves in the matter. I am not interested in this claim; I remember when it first came up that I voted for postponement and that the member who is now asking to put it over voted against postponement. It was held up here for one or two weeks, laid on the table, and the member now trying to hold it up for a public hearing voted not to postpone it, but to put it through. Under every permissive act of the sort coming from the Legislature the Mayor has always been the man to make the agreement. In connection with the claims coming in here because of the boys shot on the street in the policemen's strike, the Mayor set a price, and there was nobody who arose then to save the citizens' money or to save or protect the citizens' children. By a vote of 8 to 1 those orders have gone through this Council under an agreement made by the Mayor. If those agreements were good enough to be made in connection with the death of a human being, a boy shot in the back, the son of a respected citizen of Boston, this order should go through without the Finance Commission coming in here in their sneaking dog-like way and asking for a public hearing in order to try and create sentiment against the matter. I believe the order should go through in accordance with the agreement.

Coun. WATSON—Mr. President, I think Coun. Moriarty has covered the ground much better than I could. We have had this letter from the Finance Commission, Coun. Hagan, since August 11.

Coun. HAGAN—We haven't met.

Coun. WATSON—Yes, last Monday. Now the Mayor has decided that \$7,500 would be a fair amount. I would like to ask the gentleman, in no spirit of opposition or desire to belittle him or to in

any way to make him appear as inconsistent, if he did not vote \$5,000 here within a year for a man by the name of Thomas F. Goode, who was shot, I think, during the police strike, a man making a lot of money—John I. Fitzgerald, Lomasney's representative,—came in here in favor of it? There was no hearing on that, no chance for the Finance Commission to investigate, but it was passed immediately when it came in. Why make fish of one and flesh of another? I think that Mr. Linehan's case is a just one. Why, in the Finance Commission's communication they admit the justice of the claim. It is admitted that he was taking material a greater distance from the work than was expected or required under the contract. They admit that. If you say that this is establishing a precedent, I am willing to vote to establish a precedent at any time, when it means doing justice. I trust that this will not go to the Executive Committee. I feel that we should vote upon the matter today. I would ask if the communication the gentleman has is from a man named Brady, an attorney, claiming \$1,000 due him on a legal matter? If that is true, I certainly trust that this City Council will not be influenced by it. That matter was brought to my attention, and I stated then that I didn't think the City Council should act as a collecting agency for Brady.

Coun. HAGAN—In answer to the gentleman's question, I remember distinctly a man named Goode asking some compensation from the city, or I believe the request came from his heirs.

Coun. WATSON—He is alive yet.

Coun. HAGAN—I have forgotten the facts, then. That was presented to me and I was asked simply to be the medium through which it should be presented to the body. I personally knew nothing whatsoever about it. If there was any reason for a public hearing at that time, there were eight men here who could have asked for it and I should not have opposed it. I would have been glad to have had a public hearing if anybody wanted it. When this matter first came up I took the say-so of Mr. Linehan. No request for a public hearing was made at the time. So the two cases really are not on a par at all. Nobody asked for a public hearing in the Goode case, and I am asking for a hearing in this case. It has been the custom of this body—I think a wise and proper one—when such a request has been made to grant it, giving parties an opportunity to present their claims and arguments in public hearing and giving others a chance to take the other side if they wish to do so. I hope the day never will arrive when this body will refuse to give a public hearing on any matter involving expenditure of the public funds, that the opportunity to present views at such a hearing will not be denied to anyone. I did receive a letter from Brady, in regard to the matter the gentleman speaks of, and I imagine everybody else did. I replied to Brady that I knew absolutely nothing about the merits of the case. At the time when I voted to accept the legislative act I knew nothing about the matter. As a matter of fact, I was asleep at the switch when I voted. I was busy on some other matter at the time and was asleep when that was going through. I don't think that ought to be held against anybody, because it is quite a common occurrence in this body. I wrote to Brady practically what the gentleman has said, that I did not think the City Council should be considered a collection agency, but I felt that if he wrote asking for a public hearing it would be granted to him and he would have an opportunity to air his views. It seems to me, if I remember correctly, that he had written the President of the body asking for a public hearing, and also to the City Clerk. I am pretty confident that I got such a reply from Brady. But the letter that I have now is not from Brady. It goes into some details of the case and states that this man and certain taxpayers would like an opportunity to appear in opposition if an opportunity was granted in a public hearing. This is a matter involving expenditure of \$7,500 of the public money. If it has merit in it—I am willing to take the gentleman's statement that he believes it does have merit—it will certainly not be impossible to convince me that it has merit. But I do think that it is wise and proper that those in opposition should have a chance to have their say. I don't like to see things jammed through the body without regard to the feelings of anybody. It certainly seems to me that matters of this kind

should not be pushed through, jammed through the body, without giving everybody an opportunity to be heard.

Coun. WATSON—If you will guarantee that the writer of that letter will appear at the public hearing, I might take your word for it and favor the public hearing, but I fear that when the opportunity is given the gentleman will not appear in protest.

Coun. HAGAN—I am quite satisfied that he will appear in protest if a public hearing is given, and that there will be a number of other citizens here likewise. It may be that their protest will be an unjust one. You may have the rights of the case. I don't know about that. But there will be at least an opportunity for this gentleman and others, taxpayers, to appear at the hearing and state their position. The gentleman will be here. That I will guarantee.

Coun. WATSON—Will you kindly give his name, so that I may know who he is?

Coun. HAGAN—I have told you that this is a confidential communication and that I would have no right to give the name.

Coun. WATSON—I don't ask for the contents of the letter, I merely want to know his name.

Coun. HAGAN—I have answered your question.

Coun. DONAHUE—Mr. President, after listening to the speech of the gentleman opposed to the proposition (Coun. Hagan) who has talked about jamming matters through, my mind reverts to the time when the order first came here. When it first came in I felt, as I feel now, that we ought not to act too hastily on any of these propositions. Therefore, on that day I moved that we postpone action on that particular proposition for at least one week, so that we might hear something as to the merits of the thing. So when the councilor takes the position he does today, that we should not jam matters through, I will simply say that he voted not to postpone it then for even one week, but to immediately pass it. But we did hear from the counsel for the Atlas Construction Company in regard to the matter. That was sufficient for me. He proved his case to my mind, that they had a rightful reason for making this claim upon the city; and in view of the fact that the matter has been favorably acted upon by his Honor the Mayor, I cannot see what advantage is to be gained by further postponement. We have already held the matter up for four or five weeks, and I think, in justice to the men interested in the proposition, that there should be no further delay. I think the order ought to go on its passage immediately. Certainly talk about jamming matters through is entirely out of order coming from the source whence it does on this particular matter. Had the member voted to postpone then and pay some attention to the presentation of facts that were brought out, he probably would have today some of the information that we who are in favor of the proposition do have. I think we have had a lot of useless talking and wrangling on the matter, and that it ought to be passed today.

Coun. MORIARTY—Mr. President, I don't feel like continuing this case, but there has something come to my mind, something that the Finance Commission had no interest in at all. Sometime ago there was an order introduced by myself, and at the next meeting, while it was a matter concerning which the Finance Commission had no business, they did send a communication to this body telling us that we had no right to investigate certain officers, and they sent along an interpretation of the late Corporation Counsel Babson's opinion on the law. I thought we had a Law Department here, that when we wanted to know what our rights were we had a Law Department which could inform us. But I find the Finance Commission not only acting as a Finance Commission but as a Law Department of our city. Here is a case where they say money is involved and that the city is not getting a fair deal. I am reliably informed that the chairman of the Finance Commission was present in the Mayor's office when this conference took place between the Mayor, the chairman of the Finance Commission and the representatives of the Atlas Construction Company. It must have taken place earlier than yesterday, and if Mr. Dowling was not too busy up there tending to other people's business and not the Finance Commission's business they would have had ample time, if they so desired, to request the City Council for a public hearing, for which I, and I think the rest of the members, would have voted. But I believe

every time when anybody wants a public hearing he should be at least willing that his name should be used. If anybody is not willing to have his name used in connection with a request for a public hearing, I believe he is not entitled to any consideration from this body or any other body. When any individual citizen desires to write an individual communication to any individual member of this Council, to me or any other member, and I or the other member do not feel like divulging his name, I feel that the other eight members ought to vote against the request. Of course, the writer of that communication may be the chairman of the Finance Commission. He has done things like that, and I would not put it past him, and his secretary up there would even stoop to lower things than he would. I am in favor of the passage of the order.

Coun. HAGAN—Mr. President, I am going to make one more attempt to prevent this matter being rushed through here today without proper thought and consideration being given to the expenditure of \$7,500 from the public funds. I think an opportunity should be given to taxpayers and citizens to come before this city government and I hope to the good God that such a request will never be denied. I think that is the only right and proper course to take. In reading over this communication I find that "the claim came into court in 1909, was passed before a master, and the master's report confirmed by the court. This decision found no agreement whatever to justify any claim and threw the whole business out. Almost every year since, Frank J. Linehan, who really was the Atlas Construction Company, has petitioned for a special act"

Coun. WATSON—If the gentleman will permit an interruption, I have to telephone, and I will be back in a moment. (Coun. Watson left the room at this point.)

Coun. HAGAN—Mr. President, if I may proceed, I will say that "almost every year since Frank J. Linehan, who really was the Atlas Construction Company, has petitioned for a special act to permit paying his claim. Just as regularly his petition was thrown out, until this year, when with the assistance of eminent counsel from Brighton, Martin Hays (who prior to the present Council is reported to have opposed passing the desired legislation), the act permitting payment was passed upon acceptance by the City Council and the Mayor." I do not characterize these statements. I don't know whether they are so or not. But if they are so, let the thing come out in a public hearing, where all the facts can be presented. I am simply asking the courtesy of a public hearing, something that has never been denied a member in this body in my knowledge, and I have been here a number of years. I certainly hope it will not be denied now. Then, if it appears that the case has merits, I will favor it. I am not speaking as one who is at all prejudiced in this matter. I simply want the facts.

Coun. WATSON—Mr. President, I have just talked with Mr. Dowling of the Finance Commission. He said he would undertake to get Mr. Sullivan to talk with me. But he found that Mr. Sullivan had just left the office. Mr. Dowling said that Mr. Sullivan was opposed to the payment, whether it was \$7,500 or \$15,000. He said he thought Mr. Sullivan was present at the time when the Mayor was considering the claim of the Atlas Construction Company. That information does not change my mind. Coun. Hagan, while I was absent, read from the letter that he had received. Did you give the name of the writer?

Coun. HAGAN.—No.

Coun. WATSON.—Then, Mr. President, I move that the matter read be removed from the minutes of the Council. At any time when a letter is read from an individual protesting a claim, without our having an opportunity to know the name of the person writing it and standing back of it, I think should be taken out of the records. I am satisfied that Frank J. Linehan has enemies, like all of us. I am also satisfied that the person who wrote this letter will never show up when we have a hearing.

Coun. HAGAN.—Yes, he will.

Coun. WATSON.—Give his name and I will vote to postpone as long as you want to. I will ask my associates to join me publicly in asking for the name of the man who wrote that letter. Mr. President, I ask the gentleman to withdraw such part of the letter as he read to the stenographer, in view of the fact that it is not of any importance,

as it is anonymous; and, secondly, because any man who writes a letter and who is afraid to have his name appear should not have the letter put upon our records. I am going to move now that we pass the order at this time.

The rule was suspended, yeas 6, nays 2:
Yeas—Coun. Brickley, Donoghue, Gilbody, Moriarty, Walsh, Watson—6.
Nays—Coun. Hagan, Lane—2.
The order was passed, yeas 6, nays 2:
Yeas—Coun. Brickley, Donoghue, Gilbody, Moriarty, Walsh, Watson—6.
Nays—Coun. Hagan, Lane—2.

CONSERVATION OF HEALTH.

The following was received:
City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:
Gentlemen,—I transmit herewith draft of ordinance the adoption of which, in my opinion, is necessary in connection with the work of protecting the health and lives of the Boston public.
Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston.
In the Year Nineteen Hundred and Twenty-two. An Ordinance Establishing the Boston Conservation Bureau.

Be it ordained by the City Council of Boston as follows:

Section 1. There shall be a conservation bureau consisting of nine members appointed by the mayor, three of whom shall be appointed for a period ending May 1, 1923, three for a period ending May 1, 1924, and three for a period ending May 1, 1925. The chairman shall be designated by the mayor. Thereafter beginning with the year 1923, three members shall be appointed annually for a term of three years from the first day of May in the year of appointment. Any vacancy that shall occur shall be filled in like manner for the balance of the unexpired term. The members shall serve without compensation.

Sect. 2. The bureau shall from time to time make such recommendation to the mayor as in their opinion will be conducive to the conservation of human life and the promotion of public health.

Sect. 3. The bureau may appoint such additional persons as in its judgment it may deem necessary, who shall be designated as advisory members, but in no case shall the said advisory members consist of more than one hundred.

Referred to the Committee on Ordinances.

APPROPRIATION FOR MAYOR'S OFFICE.

The following was received:
City of Boston,
Office of the Mayor, September 12, 1922.
To the City Council:
Gentlemen,—On account of the importance of and character of the detail work of this office it will be necessary to have certain changes in Schedule A of the appropriations for this office. I respectfully recommend the passage of the accompanying order by your honorable body.
Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Mayor, Office Expenses:

From the appropriation for A-1, Permanent Employees, Secretary, 1 at \$4,000 per year, \$1,421, to the appropriation for Assistant Secretaries, 3 at \$2,500 per year, \$911.05; Clerk, Licensing Division, 1 at \$1,500 (\$2,000) per year, \$182.21; Clerk, Licensing Division, 1 at \$900 per year, \$327.75; Stenographer and Clerk, 1 at \$1,500 (\$2,000) per year, 000.00.

Referred to the Executive Committee.

TRANSFER FROM WATER INCOME.

The following was received:
City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:
Gentlemen,—I transmit herewith communication received from the City Collector, requesting the transfer of \$8,200 from Water Income for the purpose of proving outstanding accounts in the Water Income Division, and respectfully recommend the adoption of the accompanying order.
Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Collecting Department, September 8, 1922.
Hon. James M. Curley,
Mayor of Boston:

Sir,—For the purpose of proving outstanding accounts on the Water Income Division books, it was necessary to cross-check all payments and abatements, balance the manuscripts, and prepare shut-off lists.

In accordance with instructions from the City Auditor, this work has been under way since July 13, 1922, nights and Sundays, by employees of the department, and the estimated cost will be \$8,200. I therefore respectfully request a transfer of the above amount from Water Income to Collecting Department, Water Division, A-3, Unassigned.

Respectfully,
WILLIAM M. McMORROW,
City Collector.

Ordered, That the sum of \$8,200 be and the same hereby is transferred from Water Income to the Collecting Department, A-3, Unassigned, for the purpose of proving outstanding accounts on the books of the Water Income Division.
Referred to the Executive Committee.

EXTENSION OF HIGH PRESSURE SYSTEM.

The following was received:
City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:
Gentlemen,—I am in receipt of the inclosed communication from the Commissioner of Public Works, requesting an appropriation of \$100,000 from Water Income for the extension of the high pressure fire system, and respectfully recommend the adoption of the accompanying order.
Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
September 14, 1922.

To the Honorable the Mayor:
In order that the extension of the high pressure fire service may be prosecuted next year, the materials for the two miles of work proposed to install should be contracted for at once, so as to insure delivery in time for spring pipe laying. At present we have little or none of the materials to be used on hand.

It is respectfully requested that \$100,000 be appropriated from Water Income to provide for the extension of the high pressure fire service.

Yours very truly,
J. A. ROBBE,
Commissioner of Public Works,

Ordered, That the sum of \$100,000 be and the same is hereby appropriated from Water Income to be expended, by the Commissioner of Public Works, for the extension of the high pressure fire system.

Referred to the Executive Committee.

COAL SUPPLY FOR BOSTON.

The following was received:
City of Boston,
Office of the Mayor, September 11, 1922.
To the City Council:
Gentlemen,—The coal situation in the City of Boston today is such that immediate steps must be taken to insure a supply of both anthracite and bituminous coal for our hospitals, institu-

tions, industries and homes, and I accordingly recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$10,000 be and hereby is appropriated to be expended by the Fuel Administrator for the City of Boston, under the direction of the Mayor, in the prosecution of his duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, September 18, 1922.
To the City Council:

Gentlemen.—I transmit herewith requests for transfers within the various department appropriations and respectfully recommend the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriation for Public Works Department, Sanitary Service:

From the appropriation for A-1, Permanent Employees, Inspectors, 40 at \$1,600 per year, \$450; Mechanics, 42 at \$5 per day, \$400; Mechanics' Assistants, 9 at \$4.25 per day, \$234.85, to the appropriation for A-1, Permanent Employees, General Foreman, 1 at \$3,000 per year, \$1,084.85.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for B-39, General Plant, \$400, to the appropriation for F-11, Workingmen's Compensation, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Municipal Court, South Boston District:

From the appropriation for A-2, Temporary Employees, Court Officers, 2 at \$5.92 per day, \$2.50, to the appropriation for B-39, General Plant, \$2.50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Building Department:

From the appropriation for A-1, Permanent Employees, Building Commissioner, 1 at \$6,000 per year, \$700; Building Inspector, Chief of Plan Division, 1 at \$3,000 per year, \$50, to the appropriation for C-4, Motor Vehicles, \$750.

From the appropriation for A-1, Permanent Employees, Building Inspector, Chief of Plan Division, 1 at \$3,000 per year, \$300, to the appropriation for B-4, Transportation of Persons, \$300.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Salvatore Alessandro, for compensation for damage to cart by a city truck.

S. H. Appleman & Co., for compensation for damages by water at 10 Commercial street.

William H. Brown, for compensation for injuries caused by a fall on Bronfield street.

Harry Carp, for compensation for damage to automobile by a city watering truck.

Meyer J. Cohen, for compensation for damage to automobile by an unlighted traffic post at 202 State street.

Jennette M. Dorgan, for compensation for

injuries caused by a fall on steps at voting booth in Ward 1, Precinct 1 (basement, Blackinton Schoolhouse).

Mrs. Karen Jeppson, for a hearing on her claim on account of injuries caused by ice and snow on Parker Hill avenue.

S. O. Hilton, for compensation for damage to automobile on ferryboat "General Sumner."

A. A. Johnston, for compensation for the collapse of a boiler at 83 Aldrich street, Roslindale.

Francis V. Tyner, for compensation for the collapse of a boiler at 79 Aldrich street.

Freda Kritzman, for a hearing on her claim on account of a defect in highway at 33 McLean street.

Florence E. Lyons, for a hearing on her claim for injuries received at the Mystic Playground.

John F. O'Brien, for compensation for injuries caused by an excavation in street at 868 Fourth street, South Boston.

Louisa Cabot Richardson, for compensation for damage to automobile by an automobile of the Fire Department.

James A. Smart, for compensation for damage to car by a hole in Northfield street.

L. P. Soule & Son Company, for refund of \$64, being overcharge for fee for occupation of portion of Stuart street.

Denis J. Sugrue, to be paid for shoes lost at the City Hospital.

Rev. Alan McL. Taylor, for compensation for damage to car by a patrol wagon.

Lena Thibault, for compensation for injuries caused by a hole in pavement at corner Boylston and Washington streets.

Philip N. Winkler, for rebate on bill for water at 7 Columbus square, claimed to have been paid twice.

John J. McKenna, to be reimbursed for expense incurred in April, 1922, because of the stopping up of drain by the roots of a tree in sidewalk at 7 Carmen street.

Joseph Cullen, to be paid for false teeth, lost while a patient at the City Hospital.

Catherine Attridge *et al.*, for compensation for injuries received on account of being struck by city automobile.

Executive.

Frank R. Hancock, for a permit for children to appear at Jordan Hall on September 28.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of the approval of the following appointments of the Mayor, viz.:

Hubert G. Ripley, Board of Appeal.

John F. Hickey, Board of Examiners.

Frederic J. Crosby, Sinking Funds Commissioner.

James P. Balie, Statistics Trustee.

Placed on file.

INTEREST IN CONTRACT.

Notice was received from Joseph F. Feeney, Overseer of Public Welfare, of interest in contract with the city.

Placed on file.

SIDEWALK SCHEDULE.

Notice was received from the Commissioner of Public Works recommending the passage of orders for setting edgestone and constructing sidewalks on Centre street, Ward 15; Julian street, Ward 17; Perkins street, Ward 14; Centre street, Ward 15; Park street, Ward 20; Judson street, Ward 17.

The orders were passed.

SIDEWALK ORDERS.

President BRICKLEY offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk at 37 Longfellow street, Ward 18, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Ordered, That the Commissioner of Public Works make a sidewalk along both sides of Franklin avenue, from Newbury street to Audubon road, Ward 8, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width and to be built of artificial stone, with granite edge-stones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

REMOVAL OF WEBSTER'S DICTIONARY.

Coun. WATSON offered the following:

Resolved, That it is the opinion of the City Council that Webster's Unabridged Dictionary of the present day be removed from all Boston public libraries and Boston public schools as it is distinctly an anti-American publication tending to undermine true Americanism.

Coun. WATSON—Mr. President, I have been informed, reliably so, I believe, orally and by communication, of propaganda that I consider un-American which is being spread throughout our country, and particularly in Boston. I have referred to this matter in a communication which I sent to the Public Library Trustees on September 1, in which I called upon them to consider the advisability of removing from the shelves of the public library the Webster's Unabridged Dictionary of the present day, which is entirely opposite to an earlier Webster's dictionary in its definitions of certain important words, the more recent definition of those words being, in my opinion, stated with what might be called their "Anglo-Saxon" meanings. There are many books on the shelves of the public library and in our public schools that represent British propaganda. I received from the librarian, Mr. Charles Belden, in response to my letter, the following communication:

"The Public Library of the City of Boston,
September 7, 1922.

"Hon. James A. Watson,
Council Chamber, City Hall, Boston 9:
"Dear Mr. Watson,—This is to acknowledge your communication of September 1, addressed to the Trustees of the Public Library. I shall bring the same to the attention of the Board at their October meeting.

Very truly yours,
CHARLES BELDEN, Librarian."

I must first of all indorse the words which I am about to read of the Hon. Franklin K. Lane, Secretary of the Interior in President's Wilson's cabinet. They are printed on the cover of the first volume, first number, of a paper that is positively American, the "Hall! Columbian," published in St. Paul, Minnesota, and which is filled with wonderful words tending to true Americanism. Franklin K. Lane said, and well said, this:

"Before we take up this work of Americanization of others we must first be sure that we have Americanized ourselves."

I indorse every word of that utterance. I have another reason for speaking here today. I am a member of the Patriot League for the Preservation of American History. Among the foundation members are the following: Hon. Wallace McCamant, director-general of the National Society of the Sons of the American Revolution; Hon. Charles H. Betts, publisher of the Lyons, New York, *Republican*; Hon. James M. Graham, former representative in Congress from Illinois; Mrs. Edward Lansing Harris, national chairman of the Committee on Patriotic Education of the Daughters of the American Revolution; Capt. Walter I. Joyce, national chairman of the Americanization Committee of the Veterans of Foreign Wars; Mrs. Diana Belais, president of the New York Anti-Vivisection Society; Charles Edward Russel, publicist. Those are but a few members of the organization of which I am a member and which I would hope every member of this body might be a member as well. I am going to read a part of my remarks, which I prepared recently for this occasion. The purpose of my order is to try to bring back to the people of the present day a little of the old-fashioned Americanism of the founders of this republic, and to destroy the propaganda that is and has been undermining our institutions, made possible by the sacrifice of the blood and lives of our forefathers. I am not unaware of the mighty forces that are behind the Anglo-Saxon and anti-American propaganda and I fear it little. I do

not approach my task with any feeling of bitterness toward England or her people, but as I am an American I must speak plainly, regardless of who is hurt. I am a member, as I said before, of the Patriot League for the Preservation of American History, and it is my duty to use every means at my command to offset when and where I can the insidious, vicious and undermining propaganda which has been spread and still is being spread throughout our country and which is eating at the very vitals of our Constitution and government. I shall call as some of my witnesses in spirit 100 per cent Americans long since gone to their eternal home, by quoting from accredited publications their words. I shall compare these words and the fundamentals of our Constitution with the witnesses of a latter day for Anglo-Saxon proponents. To make plain that I am trying to be 100 per cent in my Americanism I will say that I trace back my Americanism many years. My father's mother was a direct descendant of John and Samuel Ruggles, who came to what is now Roxbury in 1631-34. Their offspring were many among them being the Rev. Timothy Ruggles of Massachusetts and his son, Brigadier General Ruggles, chief justice of the highest court in Massachusetts prior to the Revolution and the speaker of the Assembly of that time, also president of the first colonial convention of which Hancock, Adams, Franklin, Otis and others were members. On my mother's side I point to the fact that her father—my grandfather—was a major in the War of 1812 and her grandmother was a full-blooded Mohawk Indian. So much for my Americanism. The Cecil Rhodes scholarships, the Carnegie Foundation and the like are all working with one purpose in mind—the Anglicizing of America. For example, let me read extracts from two dictionaries—both called "Webster." Noah Webster's dictionary of 1843 and the speeches of Daniel Webster are my witnesses, and I stand by them and other witnesses to prove that some sinister interests are slowly but surely poisoning the minds of the growing Americans who attend our schools of learning. I shall compare the definitions from the Webster dictionary of 1843 with the present day Anglicized dictionary. I shall take but three words, although the same conditions prevail as to other words, and permit me to state that the vicious propaganda is not confined to the dictionary. The organization in charge of the Anglo-Saxon propaganda in Boston is the Loyal Coalition, and I must give credit to this Anglo-Saxon organization for fighting in the open. We can meet its attack, but what should be feared most is those who hold high positions of trust but work in the dark. I shall take the words "constitution," "union," and "federal" for comparison. I will take first the definition of the word "constitution" as set forth in Noah Webster's dictionary in 1843. Noah Webster was a relative of Daniel Webster, and I am willing to take my Americanism from Daniel Webster or any of the offspring or relatives of the Daniel Webster of those days. The definition of the word "constitution" in Webster's dictionary of today is as follows:

"The principal or fundamental laws which govern a state or other organized body of men, and are embodied in written documents or implied in the institutions for usages of the country or society."

That is the definition in Webster's Unabridged Dictionary of today. Here I have, however, the definition of the word "constitution" by Noah Webster in 1843, and you will notice the change:

"In free states or laws enacted by the legislature, limiting and controlling its power; and in the United States, the legislature is created and its powers designated by the constitution."

Gentlemen, the two definitions are diametrically opposite, the definition in the Anglicized, so-called Webster's dictionary of today and Webster's dictionary of 1843, published, written and edited by Noah Webster. And that is not the only word. We go further. We look at the definition of the word "union," a word so dear to us. It was defined by Noah Webster in 1843, the old Webster of nearly eighty years ago, as:

"States united. Thus the United States of America are sometimes called the Union."

Listen to the other, the latter-day Anglicized dictionary.

"A consolidated body, as the United States of America, are often called the "Union."

While the real statesmen of both political parties are warning the people against the danger of a consolidated government, the children, who are soon to take the places of these statesmen, through our public school machinery, are indoctrinated with the idea that we already have a consolidated republic. But I would refer to the case of McCullough, the State of Maryland, in which Chief Justice Marshall of the Supreme Court of the United States says:

"No political dreamer was ever wild enough to think of breaking down the lines which separate the states and of compounding the American people into a solid mass."

I will now take another word, the important word "federal." What is the definition of the word "federal" in the Anglo-Saxon edition of the so-called Webster's dictionary. Permit me to read it. I want to be careful, because I am going to be quoted, I know, elsewhere. The Anglicized Webster's dictionary defines "federal" as being "specifically composed of states, and which retain only a subordinate and limited sovereignty, as the Union of the United States and the Fonderbund of Switzerland."

That is the present-day Webster's dictionary definition of the word "federal." Here is the definition of the word "federal" in Noah Webster's dictionary:

"Consisting in a compact between parties, particularly and chiefly between states and nations formed an alliance by contract or mutual agreement, as a federal government, such as that of the United States."

Any man, woman, or child can easily read and understand how opposite those two definitions are. It is undoubtedly true that in all those matters in which, under the Constitution, the federal government has been clothed with sovereign authority, the authority of the state is subordinate to the federal government. But in all things else the sovereignty of the state is as supreme and independent of the federal sovereignty as if the federal sovereignty had never existed. In the celebrated Dred Scott case, the United States Supreme Court said:

"The principles upon which our government rest, and upon which alone it continues to exist, is the Union of States, sovereign and independent within their own limits in their internal and domestic concern."

But if, as now talked, the states have no sovereignty except such as is subordinate to the sovereignty of the United States, what becomes of our sovereign right to local self-government? Suppose that the federal government should tomorrow, in the exercise of its supposed superior sovereignty, undertake to nullify our state constitution and laws, abrogate our state government, remove from office our governor, abolish our state courts and our Legislature, and force us to accept for our local government just such laws as the Federal Congress might choose to give us, what remedy would we have? Shall I be told that such action on the part of the federal government, clashing as it would, with the principles of state sovereignty, would not be tolerated? But if a state possesses no sovereignty except such as is subordinate to the sovereignty of the federal government, would not our subordinate sovereignty be forced to yield to the superior sovereignty to which it is subordinate? Is it not a law of nature that whenever two unequal forces meet, the inferior must yield to the superior? It is easy to see how, with all the powers of government centered at Washington in one federal head, they could at a single stroke put an end to American liberty. But they well understand that before striking this blow the minds of the people must be prepared to receive it. And what surer or safer preparation could possibly be made than is now being made, by indoctrinating the minds of the rising generation with the idea that ours is already a consolidated government; that the states of the Union have no sovereignty which is not subordinate to the will and pleasure of the federal head, and that our Constitution is the mere creature of custom and may therefore be legally altered or abolished by custom? Such are a few of the pernicious and poisonous doctrines which 10,000,000 American children are today drinking in with the very definitions of the words they are compelled to study. And yet the man who dares to utter a word of warning of the approaching danger is stigmatized as an enemy to education and unfit to be mentioned as a candidate

for the humblest office. Pro-British individuals tell us of our American dead that Warren was a coward, that Washington was this and that, and they belittle Otis, Franklin, the Adamses and others. They try to show that instead of the farmers of Concord and Lexington being heroes, they were cowards. They try to show that in every battle they (the British) were outnumbered. They even say that General Gage and his redcoats were outnumbered by the Americans on Boston Common. I do not expect much support from some of the papers of the country, but I do expect the aid of the publications of Mr. Hearst throughout the country, because I believe that Mr. Hearst is 100 per cent American. As one member of this body I demand the removal from our schools and libraries of every single pro-British book that is a publication of propaganda against our institutions. This republic is the beacon light for all nations. Our institutions are an inspiration to every land seeking happiness and true liberty. We saved the world for democracy, we were told, and I hope this is true, though it looks to me as though we saved it for England. We must lead the world, not follow England. We struck from our limbs the shackles of Britain in 1776 and we must remain free. We must not permit our institutions to be libeled and defamed from any quarter. Washington, Adams, Hancock, Otis, Franklin, Jefferson, Jackson, Lincoln and their followers of blessed memory are our patterns of true Americans and no sinister interests of any nations will be permitted in any way to reflect upon their honor, courage or true Americanism. I might go on indefinitely, Mr. President, but I will take only a moment more of the time of the Council. I might read some extracts from a book in the Public Library which has been called to my attention today. It is entitled "The Book of American Wars," by Helen Nicolay, published by the Century Company. I am going to read one or two extracts from it. Listen to this, for instance, friends:

"Had England been alive to her opportunity, the Rebellion might have ended just there, by the dispersal of this enthusiastic rabble, the confiscation of estates and fortunes, and the tragic end of a few leaders."

I am going to read from "Hail! Columbia," the first edition of this great American magazine, a few extracts taken from this book of Helen Nicolay's, dedicated to "America's Boys in the Present War," and put out for the children of our schools to read. Speaking of Patrick Henry, this book says:

"As for Patrick Henry, who was pouring incendiary eloquence over the Virginia Assembly, he was a slovenly, fiddle-playing incompetent, with an odd gift of oratory, who had been slow at his studies and had failed twice at clerking and once as a farmer before he decided to practice law."

That is fine stuff to teach our American children! Further:

"If the country had to choose between government by such a rabble and government from England, conservative and well-to-do Tories preferred the one 3,000 miles away."

Then,
"Our final break with England came over a very small matter; a tax on tea so light that it brought in virtually no revenue."

Then it says:
"The Stamp Act of 1765, which raised such an outcry, had not been intended as an insult."

"Speaking of the Boston Massacre, it says: that "it was a mere street brawl in numbers and begun by citizens who annoyed a passing file of red coats by pelting them with ice and snow. The soldiers lost patience and fired into the crowd, killing three or four and wounding others." I might read on indefinitely, members of the body, but what is the use? I think I have touched a match to a trail that will lead to the Anglo-Saxon powder chest. I have received communications from all over the United States indorsing my attitude with one exception. The New York *Times*, in one third of a column, indorses my attitude. The Chicago *Post* and other papers, too numerous to mention, have passed favorable comment on my efforts. In letters to the Patriot League for the Preservation of American History, such men as Alvin M. Owsley, national director of the Americanism Commission of the American Legion, Hobart Brinsmade, secretary of the Society of Colonial Wars in the state of Missouri, United States Senator William E. Borah, Frank Hervey Pettigell, president of the Sons of the Revolution in the state of California,

Wallace M'Camant, director-general of the National Society of the Sons of the American Revolution, James M. Montgomery, general president of the National Society of the Sons of the Revolution, Sidney C. Partridge, Episcopalian bishop of Missouri, George S. Wyckoff, national secretary of the Early Settlers of America, and United States Senator from California, Hiram W. Johnson, have taken a strong stand in support of American ideals and against such propagandist influences as I have referred to. I might add thousands of names of people who are in this organization. They are all Americans — not all native born, because many of them are sons of immigrant parents. After all, the date of the sailing of the vessel from the other side does not determine the question of who are Americans. People not born in the days of the "Mayflower" could not come of course, come here at that time from foreign shores. But those who in latter days so much helped to win the fight, to save the democracy of the world were not born when the "Mayflower" came over, but they or their parents have come over recently, at the first opportunity that offered. They proved themselves to be just as good Americans, however, as those who came over in that boat. Mr. President, we are asleep. There is vicious propaganda going on in our public schools. School histories have been introduced that have been perverting the minds of American children. That Nicolay book should be removed from the library. These books representing Anglicized history, propaganda, should be removed. This Anglicized dictionary should be taken away from the library and we should go back to the dictionary of Noah Webster. I am willing to take my definitions from old Noah Webster, and willing to take my Americanism from Washington, Jefferson, and Franklin, not allowing the Loyal Coalition and such organizations to put out and to have introduced into our schools and our libraries such insidious propaganda, which constitutes a menace to this country. I might add that the latest president of the Loyal Coalition is not Demarest Lloyd, but Lothrop Stoddard. Demarest Lloyd is in England, getting instructions as to how to continue his insidious anti-American propaganda, and another man is acting as president of the Loyal Coalition. I have been told so by the secretary. I have here a recent circular sent out by the Loyal Coalition, of which I will perhaps read a few words and give it to the stenographer, asking leave to print it. It is headed with the word, printed in red ink, "Danger!" At the head it says "Our Platform, Americanism; Promotion of American Traditions and Ideals by an Educational Campaign in American History; Undivided Allegiance to the Flag, Constitution and Government of the United States; No Interference in the Domestic Affairs of Other Nations; the Friendship of English-Speaking Nations."

English-speaking Nations! Not the Gaelic-speaking nations, but English-speaking Nations!
 "24 Mt. Vernon Street,
 Boston, Massachusetts."

Then, in red, "Danger!"

"The recent parade and demonstration in the City of Boston in honor of Cathal Brugha and Harry Boland, late citizens of the Irish Free State and members of the Irregular Army, rebels to the Provincial government of the Irish Free State, shows that Sinn Fein propaganda in favor of the Irish Republic is again rampant in America.

"The national flag of the United States is being used by the advocates of the Irish Republic for non-American purposes. The Mayor of the City of Boston and the District Attorney of Suffolk County, in their official capacity, addressed a non-American meeting in a manner calculated to promote ill feeling towards a friendly nation.

"The national flag of the United States was used to symbolize that national honors were being paid to the memory of Cathal Brugha and Harry Boland, noncitizens of the United States and rebels to the Irish Free State.

"The uniform of the United States Navy, or the United States Coast Guard, was disgraced by a wearer carrying the Sinn Fein flag, the emblem of a country not officially recognized by the United States Government.

"The United States Congress has been denounced by Sinn Feiners in America as being responsible for the civil war in Ireland on account of its failure to recognize the Irish Republic.

"American ideals and traditions are being perverted in the public schools by agents of a foreign potentate for the purpose of promoting propaganda foreign to America."

Why don't they come out and say that they refer to the head of the church of which I am a member, the head of a church that 52 per cent of the people of Boston are members of? No, they hide that, but they go on further:

"Loyal Americans, the future of America is threatened! The foundation stone laid by our forefathers, those stalwart English pioneers of New England and Virginia"—think of that, stalwart English pioneers of New England and Virginia!

"The foundation stone laid by our forefathers! those stalwart English pioneers of New England and Virginia,"—is being destroyed by the hyphenated groups within our country who are enemies to the true America.

"The Loyal Coalition is in the field to uphold the principles upon which America was founded. The future of this nation for the coming generations must be firmly established now.

"As the patriots of 1776-1783 stood behind the American Colonies in their time of need, so must the patriots of today stand behind the Loyal Coalition, which is carrying out for you the sacred trust given to your keeping by the men and women who founded this country, secured its freedom, and preserved its union so that it might be passed down from generation to generation.

"Patriotic American, give your moral and financial support to the Loyal Coalition in its great work."

My fellow members, I demand, as one member of this body, that this Anglo-Saxon propaganda through the public schools of Boston and other places in the state, and the un-American books in our public Boston and state libraries be removed. My remarks have been rather rambling, I admit, but the meat is here, the facts are here, the evidence is here. It cannot be denied. I invite any man in this body or any man in the city to discuss with me this question of undermining our institutions by this vicious Anglo-Saxon propaganda, belittling those who made this country what it is through the great Revolution. I recall reference to the "rabble" in 1896, when I supported for president the great Commoner, William Jennings Bryant. I was called one of the rabble when I supported James M. Curley for mayor. I was called a rabble, one of the rabble, when I ran for the Common Council in the old days, and I have been so called since. But, as the old saying goes, "Sticks and stones will break my bones, but words will never hurt me." A saying translated from the Persian has been handed to me: "The dogs bark, but the camels and the armies pass on." In other words, the dogs make a noise, but they do not stop progress, they do no harm. So I care not for those who criticize me. The Boston Herald, which has been unfriendly to me, is one of those who has vilified Thomas Paine; but that paper has recently come out in an editorial praising Paine and quoting his first one of the phrase, "The United States of America," where he said "The United States of America" will sound as pompously in the world and in history as "The Kingdom of Great Britain." Well, the Boston Herald now having indorsed Thomas Paine, now logically indorse me, because I am taking my sentiments from those long gone, from volumes handed down containing an account of their lives and sayings. In conclusion, I thoroughly believe that we must await. There is no greater work for the veterans of the great war, the American Legion and Veterans of Foreign Wars, than to stand together and crack out of their hiding places the skulking traitors to American history and American ideals. I say that if any man stands in front of me and defends General Gage and his followers against Washington, Jefferson, Patrick Henry, Lincoln, the illustrious heroes of early days of American history, he must reckon with me. And living up to my feelings in this matter, I would strike in between the eyes or spit in his face because he would be beneath me, unfit to talk with me, un-American. Such men do not belong here. They should go back to England, where they have no constitution, not remaining in this free country, a country of laws, rather than of men, under the Constitution of Hamilton, Paine, Adams, Washington, Jefferson, Webster. When that Constitution was written by the great men of the past, it was intended that we should live under it, and those who do not believe in it should go back whence they came. I have more respect for the little dark-skinned Italian who comes here and lives a while, until he betters his condition, and then

becomes a true American citizen, forgetting his Italian allegiance, than I have for the man who is born here, who makes his living here, and who attempts to haul down the flag. In closing, I desire to read something else from this "Hail! Columbia," something printed in large type, and to every line of which I subscribe:

"Emma Goldman and her sister and brother anarchists never stained the American flag with worse insults than those who would teach our children that the founding fathers of our republic were a rabble. Why should she be exiled and these character assassins of America and American institutions not receive the same fate? What is the technical difference which condemns the one and condones the other? Both should be excluded."

Those are my sentiments to the letter. If I have done nothing else, I shall be glad if I have brought down on my shoulders some more heated criticism of my conduct from those who take an un-American attitude on matters affecting the people of this great country. I have had no time for preparation, except this morning. I had the documents, it is true, but I have had no chance to put the thing together. Perhaps I may be criticised by some for over-enthusiasm in this as in other matters, but that is my make-up and a leopard cannot change his spots. I wish that I had the balance and conservation of some other members of the body. I was told by a close friend recently in a campaign that I was too sensitive and tender, and I guess that is my fault. I might go into this matter at much greater length, as I have the documents, but I have probably said enough to indicate the importance of the matter with which I am dealing. If my rambling remarks have done nothing else than bring down on my head the wrath of those whose coats are red inside and black outside I am satisfied. I say to the British propagandists all over our nation, "Go back whence you came: we don't need you here. We want only 100 per cent Americans. We don't care for your color, your circumstances, your station in life or your religion. All we ask of you is the true American spirit, love for our institutions, love for our flag, and a willingness to defend our country and its institutions with your lives." Mr. President, I ask a suspension of the rule that the order may go upon its passage at this time.

Coun. HAGAN—Mr. President, it seems to me that we ought not to act too hastily on matters of this sort, suspending the rule for immediate passage. In the gentleman's remarks he said that he had written to the Trustees of the Boston Public Library, and I think out of courtesy to them we should await a reply. Then, if action is postponed, it may be that at some future meeting of the Council my position would be the same as that taken by the gentleman. But I do not believe that we should take hasty action at this time. I do not wish to appear as antagonistic to the order or in opposition to the gentleman's patriotic remarks, but I do think that Webster's dictionary has been in use for a great many years and that on a matter of this sort we should take time for consideration. What education the gentleman and I have derived as children from that foundation has not made either of us un-American in type or in character. Therefore I think there is no immediate need of hurrying to dispense with Webster's dictionary in the public library or in the schools. It may be, as I say, that later I will be with him in endeavoring to accomplish what he has in mind. But I believe as a matter of courtesy we should at least await a reply from the Trustees of the Public Library before taking action.

Coun. WATSON—Mr. President, on second thought I am inclined to agree with Coun. Hagan. I think that is very likely the proper position to take on the matter. Sometimes my enthusiasm runs away with me. I am satisfied, however, that when the gentleman has read what I have said here, and when he has had a chance to think the matter over, he may feel even more earnestly in the matter than I do. Certainly none of us believe in anti-American propaganda. I am perfectly willing, however, to have the matter referred to Executive Committee and to have it acted upon at the next meeting.

Coun. HAGAN—I understand that the trustees do not have a meeting until October.

Coun. WATSON—It has been called to my attention, Mr. President, that they will not have a meeting until October. I wrote my letter to them under date of September 1. This was

the reply (reading again the letter from Librarian Belden, acknowledging the communication of September 1 addressed to the Trustees of the Public Library and stated that he would bring the matter to their attention at their October meeting). I am perfectly willing to wait, but in the meantime it seems to me they ought to move a little faster, that the matter should be acted upon before October.

Coun. HAGAN—Well, of course, October is not very far away now.

Coun. WATSON—About two weeks. However, it is perfectly agreeable to me that the matter should be referred to the Executive Committee. I would suggest, however, that the Library Trustees be asked to appear here at our next meeting to give us some information upon the matter. They haven't this information that I have, probably.

The matter was referred to the Executive Committee, and the Clerk was instructed to invite the Library Trustees to appear before the City Council in Executive Committee at the next meeting.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of August.

Report accepted; order passed.

MONEY FOR SOLDIERS' RELIEF.

Coun. GILBODY offered an order—That there be allowed and paid to the Acting Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of three hundred dollars, said sum to be expended subject to the approval of the Committee on Soldiers' Relief, by said commissioner in affording immediate relief to persons entitled to aid under the law.

Passed under a suspension of the rule.

DOBRY AND GOZIKOWSKI SQUARES.

Coun. DONOGHUE offered an order—That the junction of Chambers and Brighton streets be named Michal J. Dobry square in memory of said Dobry, and that the corner of Wall and Cutting streets be named Stanislaw Gozikowski square, in memory of said Gozikowski, both of whom were killed in action in the World War, and that said places be marked with signs.

Passed under a suspension of the rule.

WILLIAM J. KEYES SQUARE.

Coun. DONOGHUE offered an order—That the space at the junction of Julian and Judson streets be named William J. Keyes square in memory of said Keyes, who was killed in the United States service during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 3.25 o'clock p. m., to take a recess subject to the call of the President.

The Council reassembled in the chamber and were called to order by the President at 5.35 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. HAGAN, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Frank R. Hancock (referred today) for permit for children to appear at Jordan Hall on September 28—that a permit be granted.

Report accepted; permit granted on the usual conditions.

2. Report on message of Mayor, communication and order (referred today) that the sum of \$8,200 be transferred from Water Income to Collecting Department—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

3. Report on message of Mayor, communication and order (referred today) that the sum of \$100,000 be appropriated from Water Income to Extension of High Pressure Fire System—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

4. Report on message of Mayor and order (referred today) for transfer of \$1,421.01 for Mayor's Office Expenses—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

5. Report on message of Mayor and orders (referred today) for various department transfers—that the orders ought to pass.

Report accepted; orders passed, yeas 8, nays 0.

6. Report on message of Mayor and order (referred today) for appropriation of \$10,000 to be expended by Fuel Administrator for the City of Boston—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

7. Report on message of Mayor, communication and order (referred today) for appropriation of \$40,000 for Institutions Department steamer—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

8. Report on message of Mayor, communication and order (referred September 11) for Park Department transfer of \$5,000—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

ORDINANCES.

Coun. HAGAN, for the Committee on Ordinances, submitted a report on message of Mayor and ordinance (referred today) for appointment of Conservation Bureau—that the ordinance ought to pass.

Report accepted; ordinance passed.

NAMING OF BOAT, "MICHAEL J. PERKINS."

Coun. MORIARTY offered an order—That his Honor the Mayor be requested to take the necessary steps to have the institutions boat, when purchased, to be named the "Michael J. Perkins," in honor of the soldier of that name who fell gloriously in battle during the World War.

Coun. WATSON—Mr. President, I don't think any member of the body is any more interested in paying honor to a departed soldier who gave his life as the supreme sacrifice than I, and I am on very friendly terms with the Michael J. Perkins Post, but I do think we ought to wait a while before naming a boat that we don't own. It is rather an embarrassing position to be in. I would rather have the matter referred to Executive Committee, so that we may have a chance to talk it over.

President BRICKLEY—The order will be referred to the Executive Committee.

Coun. MORIARTY—Mr. President, I move a suspension of the rule that the order may be put upon its passage.

Coun. WATSON—Mr. President, I am opposed to suspension of the rule, and if it goes through at this time I shall feel that I will have to do something I don't want to do at this time, vote against the order.

Coun. MORIARTY—Mr. President, I talked with the commissioner and asked him if it was his intention or that of the department to have the boat named "The Monitor." He told me they were going to allow the name on the boat to continue. He gave me further information, that to have the name now on the boat changed would take an act of Congress. I don't know what the name now is.

Coun. WATSON—I will say for your benefit that it is "Rochester."

Coun. MORIARTY—Then, if the name is "Rochester," that is all the more reason why our order should go on its passage, because that name does not mean anything to me.

Coun. WATSON—That is where my ancestors were born, Rochester, Mass.

Coun. MORIARTY—I feel that the order is in order and that it should be passed. If I did not think it was a proper order I would not have intro-

duced it. Simply because I was first in putting the order in, objection is made and there is an attempt to hold it up. But I will make a fight, you will be put in a different position than you are today. The order, in my estimation, does not need any time for consideration. There should be no hesitation about it. It doesn't need time to talk it over.

Coun. HAGAN—Mr. President, I deplore hasty action on these matters. It is embarrassing to talk against an order of this nature, seeking to do honor to one to whom honor is due. But there are many other men to whom honor is due, although perhaps other members were not as alert or as much on the job as the gentleman who thought of this particular order at this time. I commend him for that course. But while honoring one we are denying an opportunity to honor all. I think if we waited we might think of some name for the boat which would do honor to all who lost their lives in the world war, rather than singling out one. I think somebody fertile in imagination might, conceive of a name that would honor all. I don't want to appear antagonistic to this particular order, but I would like to honor all if I could.

Coun. WATSON—Mr. President, this naming of squares and parks after those who made the supreme sacrifice has got to the point where we have to stop, in my opinion. I realize that it is rather a delicate thing for me to talk upon, in view of the fact that I am a candidate for re-election. It does not add to my popularity a bit. I was the one who started naming squares after departed heroes, until today, the squares having been absorbed, some of the most worthy heroes who fought in the World War have been neglected. Now, there are just two boats controlled by the city, bearing the names of departed heroes, or one boat, and now we anticipate having another. We named a boat after young Flaherty, whom I knew well, and who was not a resident of Boston. He lived in Revere and had a park, the finest park in Revere, named after him. Am I not correct, Mr. President?

President BRICKLEY—You are correct.

Coun. WATSON—No, this business of making fish of one and flesh of another I am tired of. When we try to find squares to name after boys, we cannot find one left. Why not. Because they are all absorbed, because we politicians, through political friends, have absorbed them all.

Coun. HAGAN—Statesmen.

Coun. WATSON—No, we are living; statesmen are dead ones! Many a boy with a splendid record has been neglected, his memory forgotten, because there are no squares left that we can name after departed heroes. I repeat, I don't believe in making fish of one and flesh of another. The Flaherty case I don't object to, but there was a case where we named a boat after a man who was not a resident of Boston. Is that fair? Why not name that boat "Michael J. Perkins," as Perkins lived in the City of Boston? Then, also why pick out one boat to name after one man, when so many others are neglected? It is not fair, and I am ready to go before the Perkins Post and say that I don't think we should pick out one man and honor his memory in this way. The young man's memory has already been honored by a Congressional medal. To merely name a boat after him is to take a step backwards. His father wears the medal, the Congressional medal, the highest honor that can be bestowed on an enlisted man. We are not even adding to the honor to his memory by naming the boat after him, as he has already received the highest honor that the government can bestow. I know of ten men in Roxbury, practically unknown, just as great heroes as many whom we have named squares after. I sincerely trust that the gentleman opposite will not put me in the embarrassing position of being obliged to cast my vote on this proposition in a way that may be misunderstood.

Coun. HAGAN—Mr. President, I move as an amendment that his Honor the Mayor be requested to take the necessary step to have the institution boat when purchased named "The Yankee Heroes."

The question came on Coun. Hagan's amendment.

Coun. MORIARTY—Mr. President, I don't like to stay here or to keep other members here, but if we can't disagree over something bigger than this I don't know what we are sent here for. As far as naming the boat after Flaherty is concerned, that was not done through a request of the Council. It was done by the Mayor's office. And the Mayor is not compelled to take this name if he does not so desire. But there was another boat named after a

soldier. There are two boats named after soldiers' boats owned by the City of Boston.

Coun. WATSON—The other is the "Ralph Columbo." Yes, I agree with you.

Coun. MORIARTY—Now, why not have another one? No member of the Council is responsible for the other two. They didn't ask the Council when they were naming the two boats.

Coun. WATSON—Mr. President, will the gentleman yield a bit?

Coun. MORIARTY—Yes.

Coun. WATSON—We cannot name this boat. Why don't the member go across and make the suggestion without bringing us into it, if he wants to?

Coun. MORIARTY—Maybe if I had consulted my colleague I might have done so. If I thought anybody would be so narrow—

Coun. WATSON—I would go out that window if I were as narrow as you.

Coun. MORIARTY—I think you are the narrowest man here.

Coun. WATSON—I don't think so.

Coun. MORIARTY—I do, and others do.

Coun. WATSON—I don't believe others think so.

Coun. MORIARTY—If other members told the truth, they would agree with me, and some of them have told me so.

Coun. WATSON—Then I am mistaken, that is all.

Coun. MORIARTY—We may both be mistaken. I want to say that I have been here five years with the councilor on the other side, and that when he is talking I have never interrupted him. But it has been my fortune to see him interrupt everybody at every opportunity, when he so desired. Now, I did not interrupt him and I don't think he ought to interrupt me. I don't think anything I can say is going to change any vote here. I simply want to say that any action I have voted for in regard to any soldier I have not had occasion to regret. When any order comes in here to name a park after a dead soldier, I will vote with the person who brings it in. That has been the spirit I have had here in these matters. I could go back to different fights. I could go back to the Christopher J. Lee Park in South Boston, in regard to which there was a difference here, but we all got together and agreed to the name "Christopher J. Lee," although he didn't live in the district, but in the Dorchester district. This thought came to me. The councilor on the other side said I was alert and ought to be commended, and all that. I didn't introduce this intending any slight to any other soldier. The gentleman speaks of the Congressional medal. Yes, but that is worn on the vest of his father. The only ones seeing it will be those seeing the father wearing it. The father might walk into the halls of Congress, and there would be only one man in Congress who would know him; he might walk in here and nobody here would know him, would simply see the medal and would not know who or what it commemorated. But if you have a boat flying the American flag, going down the harbor, people are going to see the name, and the boat is going to run for many years. Many boys and girls growing up will want to know about Michael J. Perkins, and will find out that the boat was named after a boy who made the supreme sacrifice, and they will learn something about what he did. If any member of the Council had brought in an order to name the boat after any other soldier, I would have voted for it. My brother on the other side thinks the reason why I have introduced the order is because I am the narrowest man in the Council. Mr. President, I have introduced this order, which I think is a worthy order, and I sincerely hope that it will be passed.

Coun. WATSON—Mr. President, I am rather disappointed to hear from the councilor opposite that the other members of the body think I am narrow. I had hoped that I was broad. If I am narrow, it is a fault of the head and not the heart. The gentleman opposite has the happy faculty of insisting on having his way, like a spoiled child, and as one member of the Council I am not going to stand for it any more. I am going to call a spade a spade with him, and if he wants to go to it I am there. I want to say that I trust that the newspapers will not misunderstand my position on this order. No honor too great can be given any boy who dies or who serves his country whether he volunteered or was drafted; but I don't think we ought to neglect those who have not influence or who are not in the limelight. I

came through the outskirts of Boston recently, from Dedham, and the only name apparently of a man of Irish extraction that you see in coming from Dedham is that of Michael J. Perkins. Some tire company has placed the name there, so that all who go by may read it. That means something, because it says where he died and what he died for. But when that name is attached to a boat, what does it mean to those who come afterwards? There might be some Michael J. Perkins in the future, a criminal, who will say in a jocular way, "That boat was named after me," and nobody would know about the facts. Furthermore, that boat, going up and down the harbor, will break up some day. But that medal of Congress will be handed down to posterity from one to another, to children and children's children, to the end of time, and until the end of time the records at Washington will show that Michael J. Perkins father, because of his son's noble death, was given the highest medal that is conferred by the United States Government. I trust that I have made myself plain. I am sorry that the member opposite (Coun. Moriarty) and myself disagree frequently. There is no animus back of it. Personally, I think it is time to stop this fake business, naming a square here and there after certain soldiers and overlooking others, putting up signs that mean nothing. Let us erect a monument on Boston Common, with tablets containing the names of all the boys who served in the World War, and against the names of those who died or may die place a star. Let us do the thing right, not continuing with this pious stuff any longer.

Coun. DONOGHUE—Mr. President, I agree with the last thought of the previous speaker as to a memorial to the heroes who gave their lives for their country, but I don't think this is the time, by amendment or otherwise, to change the original intent of the order introduced by Coun. Moriarty. I think there will be plenty of other things coming before us in time so that we can suitably commemorate the memories of those who gave their lives to their country by naming some boat or something else "The Yankee Heroes," or building monuments to them. But I think at this particular time we ought to confine ourselves to the original order introduced by Coun. Moriarty and either vote for or against that particular order, not adopting any amendment that will interfere in any way with the intent of the councilor who introduced the order. We ought either to vote to name the boat "Michael J. Perkins" or ought not to name it at all.

Coun. Hagan's amendment was rejected, and the order as introduced was passed.

Coun. MORIARTY—Mr. President, I desire a roll call.

The roll was called, with the following result:

Yeas—Coun. Brickley, Donoghue, Gilbody, Hagan, Lane, Moriarty and Walsh—7.

Nays—0.

When Coun. Watson's name was called, he said, "I don't desire to vote on it at all."

Coun. MORIARTY—Mr. President, I want to say this, so as to get it on the record, that while the vote was being taken Coun. Watson refused to vote on it.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, No. 1, viz.:

Action on appointments submitted by the Mayor, September 11, 1922, viz.:

1. William H. Muldoon, Henry W. Bokelman, Charles E. Goode, Horace W. Moody, Thomas A. Holt, James J. Powers, Claude J. Borden, George Littlefield, Richard F. Coyne and A. J. Merigold to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Donoghue. Whole number of ballots cast 7, yeas 7, nays 0, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.01 o'clock p. m., on motion of Coun. MORIARTY, to meet on Monday, September 25, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, September 25, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENT BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, September 25, 1922.
To the City Council:
Gentlemen,—Subject to confirmation by your honorable body, I appoint Gilbert A. Campbell, 194 Whiting avenue, Dedham, a Weigher of Coal for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

Laid over under the law.

TRANSFER REQUESTS.

The following was received:

City of Boston,
Office of the Mayor, September 25, 1922.
To the City Council:
Gentlemen,—I transmit herewith various requests for transfers within department appropriations and respectfully recommend the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
September 20, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I respectfully request that the following transfer be made in the budget items of the appropriation for the Sanitary Service:

From the appropriation for B-15, Motorless Vehicle Repairs, \$490.97, to the appropriation for A-1, Permanent Employees, \$490.97.

The reason for this request is that provision may be made for the payment of the salary of Vincenzo Musto, who has been appointed as constable in this service to take effect September 26.

Yours respectfully,
J. A. ROURKE,
Commissioner of Public Works.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sanitary Service:

From the appropriation for B-15, Motorless Vehicle Repairs, to the appropriation for A-1, Permanent Employees, Constable, 1 at \$1,400 per year, \$490.97.

City of Boston,
Institutions Department,
September 20, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I respectfully ask that transfer of funds within appropriation granted Boston Almshouse and Hospital be allowed as follows, in order that the position of general mechanic may be established in place of that of plumber, dating from September 22:

From appropriation for A-1, Permanent Employees, 1 plumber at \$1,000, \$441.32, to appropriation for A-1, Permanent Employees, 1 General Mechanic at \$1,000, \$441.32.

We believe that the employment of a general mechanic who understands not only plumbing but other lines of repair work would best meet the needs of the institution. There is not enough work to keep a plumber busy at all times, but the services of a general mechanic are always in demand.

Trusting that th's transfer will meet with your approval, I am,

Very truly yours,
DAVID J. JOHNSON,
Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Boston Almshouse and Hospital:

From the appropriation for A-1, Permanent Employees, Plumber, 1 at \$1,000 per year, \$441.32, to the appropriation for A-1, Permanent Employees, General Mechanic, 1 at \$1,000 per year, \$441.32.

Boston City Hospital,
September 16, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—When the budget was prepared it was not deemed wise to provide for the employment of the physicians for the Thorn-dike Memorial Laboratory, because it was not known just when the laboratory would be in such a stage of completion as to warrant such employment. It was explained at that time that when the laboratory was ready for use assistants would be necessary. It now becomes necessary to employ at least one assistant to aid Doctor Peabody in the organization of the new laboratory, and the trustees, on his recommendation, have voted the employment of Dr. Henry Jackson, Jr., as an assistant in his laboratory, and respectfully request the transfer of \$1,380.45 from B-39, General Plant Repairs, to A-1, Permanent Employees, to provide for the payment of his salary from September 12, 1922, to January 31, 1923, at the rate of \$3,500 per year.

Yours respectfully,
JOSEPH P. MANNING,
President, Board of Trustees.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Hospital Department:

From the appropriation for B-39, General Plant, \$1,380.45, to the appropriation for A-1, Permanent Employees, Physician (Thorn-dike Memorial Laboratory, Assistant, 1 at \$3,500 per year, \$1,380.45.

City of Boston,
Street Laying-Out Department,
September 25, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—The Board of Street Commissioners respectfully requests that the following transfer be made within the maintenance appropriation of the Street Laying-Out Department for the current year:

From Rodmen, 12 at \$1,200 per year, to B-3, Advertising, \$350.

This transfer is requested as the departmental appropriation for B-3, Advertising, is entirely exhausted.

Respectfully yours,
JOSEPH F. SULLIVAN,
Secretary.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the fol-

lowing transfer in the appropriations for Street Laying-Out Department:

From the appropriation for A-1, Permanent Employees, Rodmen, 12 at \$1,200 per year, \$350, to the appropriation for B-3, Advertising and Posting, \$350.

City of Boston,
Public Works Department,
September 25, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I respectfully request that the following transfer be made between budget items of the appropriation for the Paving Service:

From the appropriation for B-14, Motor Vehicle Repairs and Care, \$1,000, to the appropriation for C-17, General Plant, \$1,000.

The reason for the above transfer is to purchase 100 new iron signs and sign posts, which are to be substituted for the wooden posts which are continually rotting.

Respectfully,

J. A. ROURKE,
Commissioner of Public Works.

Ordered, That under the authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Paving Service:

From the appropriation for B-14, Motor Vehicle Repairs and Care, \$1,000, to the appropriation for C-17, General Plant, \$1,000.

Severally referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Abraham Black, to be paid for collapse of a boiler and other damages at 199 Woodrow avenue, caused by the shutting off of water.

Lillian Block, for compensation for injuries caused by a defect in sidewalk at 34 McLean street.

E. W. Brown, for compensation for damage to automobile by a fire truck.

Gertrude Cauman, for a hearing on her claim for injuries received at the corner of Commonwealth avenue and Babcock street.

Anna T. Chutjian, for compensation for loss of a ring taken from her at the City Hospital.

Julius and Joseph Cohen, for compensation for damage to car caused by a collision on Charles street.

Arnold L. Dowling, by his father and next friend, John J. Dowling, for compensation for injuries caused by a defect in sidewalk at corner Florida and Shepton streets.

Anna L. Fleming, for compensation for injuries due to a defect in street at 87 Baxter street.

Ed Goide, for compensation for injuries caused by a defect at 6 Ashland street.

Albert Gordon, for refund of amount paid for moth tax of 1913, on estate 23 Westville street.

Mrs. Margaret S. Hartson, for compensation for damage by a catch-basin at 43 Julian street.

Emeline M. J. Howard and Edward L. Knight, for compensation for damages by water at 17 and 19 Quincy street.

Bridget Jones, to be paid for a blanket lost at the City Hospital.

Martin Jayes, for compensation for injuries caused by a fall in the highway.

Samuel Kravitz, for a hearing on his claim for injuries received because of a defect in sidewalk at 52 Prince street.

Mrs. Ellen McEttrick, for compensation for injuries received from a fall on Summer street at Washington street.

Joseph O'Brien (minor), for compensation for injuries caused by a nail in a board in yard of the Nonantum Street School.

William A. Gaston, to be paid for collapse of boilers at 11 Estrella street, caused by the shutting off of water.

Joseph Paul, for compensation for damage to car by a team of the Sanitary Service.

Roman Petruszewicz, for refund of amount paid for water bills of the year 1918, at 13 and 15 Preble street, paid under protest.

John T. Shea, Jr., for compensation for damage to automobile on ferryboat "Governor Russell."

Mathew J. Smith, to be paid for a gate at 23, 27 and 29 Conant street, broken by a truck of the Sanitary Service.

Howard J. Swangren, for compensation for damage to car by a defect in Harvard Bridge.

Executive.

Notices from Street Commissioners of petitions for licenses for storage and sale of gasoline, viz.:

Harvard Club, 374 Commonwealth avenue, 1,000 gallons.

Charles E. Rego, Saratoga street, 1,000 gallons.

Sarah Cohen, 318-327 Chelsea street, Ward 2, 1,000 gallons.

Edward Clifton, 430 Parker street, Ward 7, 1,500 gallons.

John J. Moore, 106 and 108 Child street, Ward 22, 1,000 gallons.

Public Lands.

Petition of Bessie Miller and George W. Meserve that the city give to them deeds of certain land on Blue Hill avenue, the original deeds having been lost.

ANNUAL PARADE OF BOSTON POLICE DEPARTMENT.

A communication was received from the Police Commissioner inviting the City Council to review the annual parade of the Boston Police Department.

Placed on file.

INVITATION FROM BOSTON TUBERCULOSIS ASSOCIATION.

An invitation was received from the Boston Tuberculosis Association to the City Council to visit its preventorium.

Placed on file.

NOTICE OF HEARING.

Notice was received from the Street Laying-out Department that hearings on gasoline permits would be held as follows:

On Monday, October 2, 1922, at 11 a. m.: Sarah Cohen, 318-327 Chelsea street, Ward 8, 1,000 gallons; Edward Clifton, 430 Parker street, Ward 7, 1,500 gallons; John J. Moore, 106 and 108 Child street, Ward 22, 1,000 gallons.

On Monday, October 9, 1922: Harvard Club of Boston, 374 Commonwealth avenue, Ward 8, 1,000 gallons; Charles E. Rego, Saratoga street, etc., Ward 1, 1,000 gallons.

Severally referred to the Executive Committee.

NOTICE FROM J. WALDO POND.

Notice was received from J. Waldo Pond of his interest in a contract at the Dorchester High School; also in a contract at Engine No. 7, East street.

Coun. WATSON.—Mr. President, I want it noted that J. Waldo Pond is a member of the Boston Finance Commission.

The notices were placed on file.

APPROVAL OF CLARENCE H. BLACK-ALL'S APPOINTMENT.

A communication was received from the Commissioners of Civil Service approving the

appointment of Clarence H. Blackall as Schoolhouse Commissioner.
Placed on file.

PAYROLL, REGISTRY OF DEEDS.

Notice was received from W. T. A. Fitzgerald, Register of Deeds, stating that work had been performed in his department from August 23 to September 25, 1922, to the amount of \$7,400.02.
Placed on file.

SIDEWALK ALONG RILL STREET.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Rill street, from Hancock street to Ware street, Ward 17, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.
Passed, under suspension of the rule.

NORTH END BRANCH LIBRARY.

PRESIDENT BRICKLEY presented the petition of Louis Barrasso of 59 Hull street, asking that the name of the North End Branch Library be changed to that of Dante Alighieri Branch, urging immediate action on this matter, which has been pending since July
Referred to the Executive Committee.

APPOINTMENT OF GEN. JOHN H. DUNN.

The following was received:

City of Boston,

Office of the Mayor, September 18, 1922.

To the City Council:

Gentlemen,—I appoint Gen. John H. Dunn, 862 East Fifth street, South Boston, to the position of Soldiers' Relief Commissioner, and I certify that in my opinion he is a person specially fitted by education, training or experience to perform the duties of said office, and that I make the appointment solely in the interest of the city.

JAMES M. CURLEY, Mayor.

A certified copy of the above appointment was delivered to the Commissioners of Civil Service September 19, 1922.

Placed on file.

APPROVAL OF CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of George B. Mullay.

Approved by the City Council.

REQUEST FOR REMOVAL OF "THE BOOK OF AMERICAN WARS."

Coun. WATSON offered an order—That the Library Trustees remove from the index the volume called "The Book of American Wars," by Helen Nicolay, published by the Century Company, as the same is anti-American and an insult to the traditions and memory of our early patriots, as well as being untruthful.

Coun. WATSON—Mr. President, I am going to ask the suspension of the rule that the order may go upon its passage at this time. At the last meeting of the Council I offered an order requesting the Library Trustees to remove from the shelves of the library the recent unabridged edition of Webster's dictionary, as its definitions were in direct conflict with the definitions of the original Webster, by Noah Webster, pub-

lished in 1843. At that time Coun. Hagan suggested that we should lay the matter on the table and have the Library Trustees before us to talk the matter over. I agreed to that proposition, because I thought it was understood that the Library Trustees would be asked to be here today to furnish us with the excuse, if any, why they used that dictionary. But, through some hitch, the Library Trustees have not been asked to appear here today and explain, if they wish to do so, why my order for the removal of that dictionary from the library should not go into effect. I have high regard for the Trustees of the Public Library. One of the gentlemen on the Board, the Rev. Arthur T. Connolly, officiated at my marriage thirty-two years ago this month, and I have a high regard for him. I know the Rev. Alexander Mann, of Trinity Church, and my admiration and regard for him is just as high. Judge Murray I know and respect, as I do the other members. I have high regard for the entire Board of Trustees, as well as for Mr. Belden, the librarian. But it seems to me that, either by arrangement or by accident, libraries and schools throughout the United States are being vitiated and poisoned by books that are un-American. Whether or not this placing in the hands of the youth of the country of anti-American or pro-English books is arranged for through certain agencies, by the "Anglo-Saxons," I don't know, but I do know that a condition such as I have described existed. I do know also this, that Demarest Lloyd, former president of the Loyal Coalition, has resigned the presidency of that organization and is now in Europe in consultation with some people concerning Anglo-Saxon propaganda in the United States. That was told to me by a man who did not know my make-up. He thought I was a bigot and leaning to that side of the controversy, which, of course, is absolutely untrue. Perhaps if the blood that was in some of my forefathers on my father's mother's side had trickled down into my arteries, I would be pro-English, because one of my ancestors, Brigadier-General Timothy Ruggles, was president of the Colonial Congress and stood alone against giving to the colonies that which Otis, Adams and others requested. But he was a Loyalist, a Tory, loyal to the mother country, and, second on the list after Governor Hutchinson, was exiled from our shores. He made tremendous sacrifices, left wife, sons and daughters, brothers and sisters, and sacrificed thousands and thousands of acres of wonderful soil. But his relatives, his wife and others, remained here and worked side by side with the other patriots, the early heroes who fought for liberty. So, if I followed the dictates of the blood of some of my ancestors, I might be inclined toward England. But with me it is always America first. History today is not written correctly, either by arrangement or accident. All through the history books of today they speak of Sam Adams, Otis, Franklin and other patriots as standing on the floor of the Colonial Congress and fighting for something that belonged to this country and that England denied to them, but never mention the proceedings in which Timothy Ruggles took part, as chief justice of the Court of Common Pleas prior to the Revolution and as speaker of the House of Representatives prior to the Revolution. They do not speak of that, but I know it. He was anti-American and pro-English. But I am as pro-American as he was pro-English. Demarest Lloyd will come back here with British gold in his pockets for that work, instead of its being put into the hands of the Loyal Coalition of Boston, which is simply an "Anglo-Saxon" instrument for propaganda, which, among other things, is trying to pervert in the minds of our people our early history. So much for that. I asked Mr. Belden to come here today and he informs our Clerk of Committees that he is unable to do so because he has no authority to come. There-

fore, I am not going to consider for a moment the question of referring this matter to the Executive Committee for Coun. Hagan's benefit. Coun. Hagan, if he were here, might very likely ask to have that action taken, but I would personally refuse to grant it, voting for suspension of the rules if my vote is the only vote, because I have evidence here which is undeniable. I am going to be brief. I have here the volume entitled "The Book of American Wars," by Helen Nicolay, author also of "Personal Traits of Abraham Lincoln," "Our Nation in the Building," "Boy's Life of Abraham Lincoln," and so forth, illustrated with portraits and maps. It is published in New York by the Century Company, and on the first page is a picture of George Washington. The book is dedicated—just think of this—"To America's boys in the present war." I wish only to read briefly from it, because it is so inaccurate, so unreliable, and so pro-English, that I do not desire to warm up and express myself as I might if I read all of it. I am going to point out a few lines written by this lady. I don't know who she is, but if she knows as much about her own affairs as she knows about American history, she knows very little about herself. Let me say that the book is numbered 6,6398.1, and is stamped as the property of the Public Library of the City of Boston, and I received it from Mr. Belden's own hands one week ago today. I am going to read just about five paragraphs, commencing on page 74:

"At first few men of wealth and position joined in such demonstrations. As is often the case, it was the men who had little to lose who were most willing to risk everything. Their rich neighbors were too cautious, and looked upon them as enthusiasts who fortunately were unable to do much harm. Samuel Adams of Massachusetts"

and may I put in a word of my own here? We are going to pay tribute to his memory at his 200th anniversary, I think, shortly. I believe the state is going to do it, and do it in a proper way.

"Samuel Adams of Massachusetts, with his constantly nodding head, his red cloak, and his tie wig, was so morally incorruptible and had displayed such 'conspicuous ineptitude for trade' that his wife was forced to practise all sorts of economies to keep the household clothed and fed."

Isn't that beautiful stuff, Mr. President, to permit to be in our library? Then it says: "James Otis, that great incendiary of New England," had been foolish enough to resign a fine position as advocate-general, because, forsooth, he felt himself too good to argue in favor of writs of assistance. James Warren"

Let me interject a word here and say that the "James" Warren referred to is Joseph Warren of Roxbury, showing that author knows nothing about history.

"James Warren, who had invented the committees of correspondence that were spreading discontent over the land, was Otis's brother-in-law, and he had a sister worse than he, a strong-minded woman who wrote books and presumed to teach men their duty."

More insults.

"Benjamin Franklin had espoused the cause of the patriots,—but everyone knew Franklin. His was the eccentricity of genius.

"As for Patrick Henry, who was pouring incendiary eloquence over the Virginia Assembly with his 'Tarquin and Caesar had each his Brutus, Charles the First his Cromwell, and George the Third (cries of "Treason!") may profit by their example. If this be treason, make the most of it,' he was a slovenly, fiddle-playing incompetent, with an odd gift of oratory, who had been slow at his studies and had failed twice at clerking and once as a farmer before he decided to practise law. This he had the assurance to do after a paltry six weeks of prepara-

tion. If the country had to choose between government by such a rabble and government from England, conservative and well-to-do Tories preferred the one three thousand miles away."

Is there an American in this body within hearing of my voice, or in this City Hall, who dares to approve of continuing on the shelves of our public library this un-American volume, which is but one of many there? It may be said that I am looking for notoriety. Far be it from me to look for this kind of notoriety, because in Boston there is a considerable number of people who believe in that stuff, who will use their very greatest efforts to defeat me for any office I seek. I am not getting very great attention from the members. I presume the Chair would not be here if somebody else would take the gavel, and I think Coun. Lane is remaining here because he is a descendant of some of those who came over in the "Mayflower." His ancestry runs back as far as mine. I want to give honor to Coun. Moriarty, too; I wish to give credit where credit is due. There is almost a quorum here. Mr. President, is there a member here who will ask for postponement of my order? Is there a member here who dares to do so? Every word I have read is accurate. I may not have used the proper pronunciation, because, forsooth, my education has been limited. I am not going to apologize for it any more. My intentions are good, regardless of the methods I have of expressing them or the lack of education to put them properly before you. I want to pay tribute at this time to the Boston School Committee, made up of one lady and four gentlemen—the four gentlemen, I believe, sons of Irish immigrants, and one lady, named Miss Curtis, who undoubtedly has just as good an ancestry, if that amounts to anything, as I, Coun. Lane, Coun. Moriarty, or any of us. I want to pay tribute to the entire School Committee for their attempt to remove from the hands of school children filthy, un-American and Anglo-Saxon volumes. I have here in my hand a book that is in direct contradiction of what has been said by Miss Nicolay concerning Samuel Adams and the other patriots. May I be permitted to read from "A First Book in American History," by Beard and Bagley, published by the Macmillan Company in 1921, and bearing on its first page a picture of Independence Hall in Philadelphia? Permit me to read what is said here on page 105 about Samuel Adams, whom this woman insults. "Samuel Adams to the front," is the heading:

"People everywhere were indignant. In Boston they found a spokesman in Samuel Adams. No one understood his fellow citizens better. He was born in Boston in 1722. He had attended Harvard College. After finishing his college course, Adams studied law. Then he worked as a merchant's helper. Later he became his father's partner in the brewing business."

That is a good business.

"On his father's death he inherited the brewery, but could not make a success of it."

He certainly could in these days! I suppose that reference to the brewery ought to be stricken out because anything like that would be considered as putting Adams in a bad light. I suppose if Miss Nicolay had had that in mind she would have used it also, and commented upon it. Then it speaks here about Adams in town politics and his connection with the opposition to the Stamp Act. He aroused the people of Boston to protest against it, and they elected him to the Massachusetts Legislature, which he induced to pass a resolution calling upon all the colonies to send delegates to a Stamp Act Congress in New York. This Congress drew up a protest against the tax and drafted a declaration of the rights of the colonies, and the Stamp Act was repealed by the British Government, but presently they laid other taxes on other commodities. These measures once more stirred Adams

to action, and Adams took a prominent part in connection with the Boston massacre and the Boston tea party. Then the book deals with "Adams and the Continental Congress."

"As in 1765, when the Stamp Act was passed, another assembly of delegates from the colonies was called in the new crisis, Massachusetts, again under the influence of Adams, took the lead in calling it. So it came about that in 1774 the first Continental Congress was assembled in Philadelphia. Samuel Adams and his cousin, John Adams, were among the men selected by Massachusetts to represent that colony. Unhappily Samuel was so poor that he had no 'fine clothes' to wear. His neighbors knew his plight and bought him a complete outfit, not overlooking silver buckles for his shoes and a gold-headed cane. All the people had heard of him and at every large town on the way to Philadelphia he was cheered and honored at public banquets."

I might add more about Adams, but this is my direct contradiction of Miss Nicolay's references to him. Then we come down to Patrick Henry, referred to on page 111 of this book. It says:

"Patrick Henry, the orator of the Revolution. A son of old Virginia. While at Philadelphia, Samuel Adams met many of the first men of America. Among them was a delegate from Virginia, Patrick Henry, as famous in America today as Adams himself. Henry, like Adams, was not rich in this world's goods. He was born in Virginia in 1736, one among nine children. His early life was spent on a farm not far from Richmond. He attended the common school until he was ten years old, learning reading, writing and arithmetic. The rest of his education he received from his father. By the age of fifteen he knew Latin, some Greek and a great deal of history. He learned to play the violin and flute. He played hunted, read, and was a dutiful son.

"When Henry was fifteen years old, he and his brother were set up in business in a country store. This venture proved unfortunate. The Henry Brothers failed because, it is said, they were too generous in giving credit to their customers. Patrick married the daughter of a neighbor, who brought him some slaves and a few hundred acres of land. He was not very successful as a farmer. Neither did he prosper in an effort to combine farming with storekeeping. Then he tried a new line. He took up the study and practice of law.

"A Famous Case.—In making his plea to the jury at a certain trial, in which he took the side of the taxpayers against the King, Henry took the ground that the King had no right to annul a law made by Virginia. In doing this, he declared, the King had become a tyrant, and forfeited all rights to obedience. This was defiant talk. Some bystanders thought it treasonable to speak in such a way about the King.

"The taxpayers won their case. In a riotous outburst of joy, the people lifted Henry to their shoulders and carried him about the streets. By their action they declared, in effect, if not in so many words: 'Virginia will govern herself, make her own laws, and lay her own taxes. She will not allow a king three thousand miles away to dictate to her.'"

That is the kind of man that Patrick Henry was, and it might be well to bear in mind that in England, Edmund Burke, born in Ireland, took up the fight in Parliament that Henry took up in the Virginia Assembly. I might go on indefinitely referring to all these things that are set forth in the book, but I will content myself by simply referring to Benjamin Franklin, whose memory she insults. Speaking of Franklin's education, on page 138, this book says:

"His Education.—Though his school days were short, he educated himself, proving that anyone with the mind and the will can overcome heavy obstacles. First of all Franklin wanted to write pure and simple English. He

learned by studying the best English books, particularly the writings of the famous essayist, Addison. He copied page after page and then rewrote each one from memory. In time he was a master of our tongue.

"At the age of twenty-six he took up the study of foreign languages. He worked by himself until he attained a reading knowledge of French, Italian and Spanish. Then he began the serious study of Latin, one year of which he had taken in school. He used a copy of the New Testament written in Latin and applied himself until he could read it easily.

"Franklin's Many Activities.—At length Franklin went into the printing business on his own account, and started an almanac under the name of 'Richard Saunders.' This pamphlet he issued for about twenty-five years. It was known throughout America as 'Poor Richard's Almanac.' In addition to information about the weather and the seasons, it contained many droll stories and witty sayings. All through it were sprinkled wise proverbs, such as: 'God helps them that help themselves'; 'He that by the plow would thrive, himself must either hold or drive.' Every year Franklin sold ten thousand copies of his Almanac.

"Besides the Almanac, Franklin published a newspaper, founded a circulating library, helped to establish the Academy of Pennsylvania, and made scientific discoveries. He also took an important part in the city government of Philadelphia, helping to introduce street paving and cleaning, establish a regular company to fight fires, and to have a better police force. In 1757 he was sent to London as the agent of Pennsylvania, and remained there for five years. In 1765 he was sent back to England, and for ten years he was really the spokesman of America in London. It was then that he came to know many famous Englishmen, among them Edmund Burke. During the Stamp Act quarrel he was called before the House of Commons to tell the English lawmakers how the Americans felt about the taxes. He was asked whether the colonists would submit to the stamp tax if some of the worst parts of the law were repealed, and to this he replied simply, 'No, they will never submit to it.'"

I simply wish to point with pride to this "First Book in American History," which is in our public schools, through the vigilance and attention of our School Committee, composed of five members, as I say, four the sons of immigrant parents, and one a lady who is perhaps a descendant of the early settlers here. Mr. President, I don't think we ought to wait one moment. We ought to demand instead of requesting that this action be taken by the Library Trustees. I would like to put in our order that "We demand the removal from the index and shelves of this un-American volume" and others that I will call to their attention later. I want to say that if the papers will leave my name out of this matter, simply printing what I have brought to their attention, I will be satisfied and they will be doing a duty to America. Just think—only one paper paid any attention to my attack on the dictionary. That was the Boston Herald, which had a liberal article. I don't know how it happened that they did, and I wish to say that they are doing good work. The Boston American did not have a line, but that was through no fault of the City Hall man. In their New York paper they have been carrying articles of a patriotic nature, having just published one by Wallace McCamant of the Patriot League for the Preservation of American History. In many papers of importance outside of Boston there have been illuminating things bearing on this subject. Now, Mr. President, I want to say that I have no quarrel with the average, decent Englishman who comes to this country. Let him remain English, if he wishes to do so, but don't let him come to our shores, become

an American citizen and then spit in our faces. Now, I know that the Boston *Transcript* will print an account, even if it does not give my name, of the attack upon this book. I trust that the other papers will print it. You may leave my name out if you wish, merely saying that the Council did it. But as Americans, having an interest in the reading matter that Americans are supplied with, we desire to keep America in the hands of Americans, and it is our duty to do something along these lines. If the newspapers were as interested in remaining pro-American as they are in increasing their circulation and adding to the bankroll of the publishers, we might have a real true America. In passing, I would like to refer to one or two matters pertaining to the newspapers. Some of the papers talk a good deal about profiteering in coal, fuel and oil. Why have not some of our newspapers gone back to one cent a copy, instead of two and three cents? And why do they charge for printing political advertising \$3 a line where they run regular advertising at \$1 a line? That is what I call profiteering. You can't get them to do anything else, because they have a little combination. I demand that they do something in the line of true Americanization, that they take an interest in eliminating from our public schools outside of Boston and from the public library in Boston and in other libraries in the state these volumes, the purpose of which is an "Anglo-Saxon" and non-American purpose. I have no quarrel with any Englishman, any foreigner, from Italy, Germany, France, England, Roumania, Russia, or anywhere else outside of our boundaries, who comes here and becomes an American citizen and who lives up to American citizenship. They can love their mother country as such, but we want them to be true to our traditions, to the Stars and Stripes and to the Constitution. When they feel that they cannot do that it is time for them to pack up their duds and leave our shores, and the sooner they know it the better. In this propaganda there are many honest, clean people. They don't know that they are being used, that they are a part of this plan. I know of men high in the business world of Boston, who worship at the same altar that I do, whose blood comes from the Emerald Isle, sons of Irish immigrants, who are part and parcel of this propaganda. One I will mention by name—Bernard J. Rothwell. Either knowingly or by accident he has become a part of this pro-English, Anglo-Saxon propaganda. I might name others higher than he, born of immigrant parents, who are also part of this vicious propaganda. I, in my humble way, have done my little part toward awakening the people. I know that I have the assistance and cooperation of my fellow members. I have no apology to make for the conduct of a man who does not live up to the ideals of American citizenship, whether he is the son of an immigrant, coming from Italy, Ireland and Germany, or whether he descends from the early colonists and might be expected, on that account, to be true to American traditions. I have no respect for the man, be he an immigrant or a native American, who does not stand by our traditions, who does not stand by the flag and Constitution; but the immigrant or the son of an immigrant who is a true American, no matter how poor or humble he may be, is more worthy of respect than many men who are millionaires and who have the traditions of this country behind them. If I have today awakened in the breast of any man present a little stronger desire to stand firmly for Americanism and American traditions, and against those who abandon the principle by which they should stand for personal gain, I feel that I have done my duty. I am intensely American, and, to my mind, any man who does not live up to the duties of American citizenship, whether he is native or foreign born, is unfit to associate with me, and I don't want his company. I ask

a suspension of the rule that the order may go on its passage at this time.

The order was passed under suspension of the rule.

Coun. MORIARTY in the chair.

RECESS TAKEN.

On motion of Coun. FORD the Council took a recess at 2.55 p. m., subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.18 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following reports, viz.:

1. Report on petition of Louis Barrasso (referred today) requesting that name of North End Branch Library be changed to Dante Alighieri Library—recommending reference to the Library Trustees.

The report was accepted and the petition was referred to the Library Trustees.

2. Report on the various requests for transfers with'n department appropriations (submitted by the Mayor today) recommending the passage of the orders submitted by the Mayor.

The report was accepted and the orders were passed, yeas 6, nays 0.

Yeas—Coun. Brickley, Ford, Hagan, Lane, Moriarty, Watson—6.

Nays—0.

SALE OF LAND, FAIRMOUNT RESERVOIR.

Coun. HAGAN, for the Committee on Public Lands, submitted a report on message and order from the Mayor (referred August 7) recommending that the Public Works Commissioner be authorized to sell at public auction land known as Fairmount Reservoir at an upset price of \$7,500 for the land, and that proposals be received for the razing and removal of standpipe upon said land—that the order ought not to pass.

The report was accepted and the order was rejected.

RESTRICTIONS ON LAND ADJOINING PARKS.

Coun. FORD, for the Committee on Ordinances, submitted a report on message and order from the Mayor (referred July 31) submitting ordinance for carrying out scheme of development along border of parkways—recommending passage of ordinance in following new draft:

City of Boston.
In the Year Nineteen Hundred and Twenty-Two.

An Ordinance Relative to Park Frontages in the City of Boston.

Be it ordained by the City Council of Boston, as follows:

Section 1. No building hereafter erected or altered upon land within a distance of one hundred feet from any park or parkway in the city of Boston, excepting, however, Boston Common and the Public Garden and Commonwealth Avenue, from its junction with Beacon Street to the dividing line between the city of Newton and the city of Boston, shall be used for a livery or public stable or public garage, or for any mechanical, mercantile or manufacturing purposes, nor exceed five stories in height above the basement or cellar nor exceed seventy feet in height from the mean grade of the edgestone or sidewalk in front to the ceiling of the extreme upper story (excepting churches or chapels), and no roof shall be used for laundry or clothes-drying purposes.

Sect. 2. No building or structure shall hereafter be erected or altered within a distance of one hundred feet from park or parkway in the city of Boston, without permission in writing having first been obtained from the park commissioners of the city of Boston.

Sect. 3. On lands abutting upon parks and parkways and to a distance of one hundred feet therefrom, from the Fens to Franklin Park, both inclusive, no wooden house arranged for more than one family, nor wooden block consisting of more than two houses, nor wooden house or block standing at a distance less than five feet from the side line of the lot upon which the same is placed, and no wooden house costing less than five thousand dollars, nor brick or stone house costing less than seven thousand dollars, nor apartment house costing less than four thousand dollars per suite of apartments, exclusive in each case of the cost of the land, shall be erected or placed upon said premises.

Sect. 4. On land abutting upon parks and parkways and to a distance of one hundred feet therefrom, on the Dorchesterway and Strandway, no wooden house of more than three stories, nor wooden block consisting of more than two stories, nor wooden house or block standing at a distance less than five feet from the side line of the lot upon which the same is placed, and no wooden house costing less than four thousand dollars, nor brick or stone house costing less than six thousand dollars, nor wooden apartment house of two stories costing less than five thousand dollars, nor wooden apartment house of three stories costing less than six thousand dollars, nor apartment house of brick or stone costing less than three thousand dollars per suite of apartments, exclusive in each case of the cost of the land, shall be erected or placed upon said premises.

Sect. 5. No building shall be erected or placed upon premises within twenty feet from the exterior line of parks and parkways, from and including the Fens to Perkins street; and no building shall be erected or placed upon said premises within twenty-five feet from the exterior line of said parks and parkways from Perkins street to and including Franklin Park; provided that steps, windows, porticos and other usual projections appurtenant to the front wall of a building are to be allowed in this reserved space of twenty and twenty-five feet respectively, subject to the following limitations, viz.: First, that no projections of any kind (other than doorsteps and balustrades connected therewith, and also cornices and roof of the building) shall extend more than five feet from the rear line of the aforesaid space, provided, however, that outside the building limits piazzas projecting not more than ten feet shall be permitted within the reserve space from the Fens to Franklin Park; second, that no projections in the nature of a baywindow, corner-bay, circular front, or octagon front, with the foundation wall sustaining the same (such foundation wall being a projection of the front wall), will be allowed (excepting oriel windows above the first story on a street corner), unless any horizontal sections of such projections would fall within the external lines of trapezoids, the sum of whose bases upon

the rear line of the aforesaid space does not exceed seven tenths of the whole front of the building, and the base of any one of which trapezoids does not exceed eighteen feet, and whose side lines make an angle of forty-five degrees with the base; and each house in a block shall be considered a separate building within the meaning of this limitation.

Sect. 6. No building shall be erected or placed upon premises within twenty feet from the exterior line of parks and parkways, on the Dorchesterway and Strandway; provided that steps, windows, porticos and other usual projections appurtenant to the front wall of a building are to be allowed in this reserved space of twenty feet, subject to the following limitations, viz.: First, that no projections of any kind (other than doorsteps and balustrades connected therewith, and also piazzas projecting not more than eight feet) shall extend more than five feet from the rear line of the aforesaid space; second, that no projections in the nature of a bay window, corner-bay, circular front, or octagon front, with the foundation wall sustaining the same (such foundation wall being a projection of the front wall), will be allowed (excepting oriel windows above the first story on a street corner), unless any horizontal sections of such projections would fall within the external lines of trapezoids, the sum of whose bases upon the rear line of the aforesaid space does not exceed seven tenths of the whole front of the building, and the base of any one of which trapezoids does not exceed eighteen feet, and whose side lines make an angle of forty-five degrees with the base; and each house in a block shall be considered a separate building within the meaning of this limitation.

Sect. 7. This ordinance shall take effect upon its passage.

Report accepted; ordinance passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up No. 1 on the calendar, viz.:

Action on appointment submitted by Mayor Curley September 18, 1922, of Alfred F. Geary to be a Constable.

The question came on confirmation. Committee—Coun. Lane and Watson. Whole number of ballots cast 6, yeas 5, nays 1, and the appointment was confirmed.

President BRICKLEY called up No. 2 on the calendar, viz.:

Appointment of Samuel P. Rodgers to be a Weigher of Coal.

The question came on confirmation. Committee—Coun. Lane and Watson. Whole number of ballots cast 6, yeas 6, nays 0, and the appointment was confirmed.

GENERAL RECONSIDERATION.

Coun. HAGAN moved for a general reconsideration of all business transacted at today's meeting. Lost.

Adjourned at 4.21 p. m., on motion of Coun. FORD, to meet on Monday, October 2, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 2, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Constables of the City of Boston: James F. Mohan, 51 Newbern street, Roslindale; Edward N. Goldstein, 160 Harold street, Roxbury; Allen Whetherhalt, 572 Massachusetts avenue, Boston.

2. Richard I. Shedd, 23 Harvard street, Brookline, a Weigher of Coal, Weigher of Boilers and Heavy Machinery and a Weigher of Goods.

3. Silas N. Jameson, 5 Idlewild street, Alston, a Weigher of Coal and Measurer of Wood and Bark, and Martin J. Maguire, 42 Granger street, Dorchester, a Weigher of Coal.

Laid over under the law.

MONEY FOR REGISTER OF DEEDS.

The following was received:

City of Boston,

Office of the Mayor, October 2, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the Register of Deeds of Suffolk County, requesting additional funds to carry on the work of the department in the amount of \$6,039.52, and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Registry of Deeds, Suffolk County,
Boston, September 20, 1922.

Hon. James M. Curley,

Mayor of Boston:

My dear Mr. Mayor,—The volume of business of this department during the current year has increased so much over last year that it will be necessary to provide additional funds to carry on the work of the office and render expeditious service to the public. The entry book shows that at the close of business on September 15 there had been 44,455 documents received for record as compared with 34,519 on the corresponding date in 1921. With the same number of clerks employed now as were on the pay roll in 1921, it is impossible to keep the work up to date. I therefore respectfully request transfers of funds, as follows:

To A-1 for three clerks (one male and two female) at \$1,400 per year, from October 1, 1922, to February 1, 1923; total amount needed, \$1,400.

To A-2, Temporary, for night clerks on indexes, from October 1, 1922, to February 1, 1923, \$1,125.

To A-3, Unassigned, from October 1, 1922, to February 1, 1923, to be applied to the different departments of the office as occasion requires, \$5,500.

Chapter 301 of the Acts of 1922 authorizes an increase in the salaries of assistant registers of deeds from 55 per cent to 60 per cent of the salary of the register. This makes an increase from \$3,575 to \$3,900 in the salary of each of the two assistant registers. The act was approved April 15, 1922, and to pay this increase for the balance of the fiscal year will necessitate a transfer of \$257.26 in the case of each assistant register to A-1, making a total transfer of \$514.52.

I shall be pleased to confer with you regarding the above transfers, if you desire, at any time that it may be convenient for you to talk with me.

Respectfully yours,

WILLIAM T. A. FITZGERALD, Register.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$6,039.52, to the appropriation for Registry of Deeds, A-1, Permanent Employees, Assistant Register, 1 at \$3,575 (\$3,900 per year), \$257.26; Second Assistant Register, 1 at \$3,575 (\$3,900 per year, \$257.26; Clerks, 2 (5) at \$1,400 per year, \$1,400; A-2, Temporary Employees, \$1,125; A-3, Unassigned, \$3,000.

Referred to the Executive Committee.

MONEY FOR FUEL SUPPLY.

The following was received:

City of Boston,

Office of the Mayor, October 2, 1922.

To the City Council:

Gentlemen,—The Purchasing Agent of the City of Boston has submitted to me data with reference to the coal situation, which I present for the consideration of your honorable body.

The annual consumption of anthracite coal in the City of Boston for the year 1921 was about 1,450,000 tons, while the yearly consumption of soft coal was about 3,300,000 tons.

During the period beginning January 1, 1922, and ending August 1, 1922, 405,000 tons of anthracite coal and about 2,825,000 tons of bituminous coal were received in the City of Boston.

The average cars passing through the New England gateway during 1917-18 containing anthracite coal was 455 per day; during 1920-21, 481 cars per day; during 1921-22, 417 cars per day, and commencing April 1, 1922, the average was 169 cars per day, the minimum delivery being reached in July, 1922, when but 61 cars were received in Boston.

At the present time, owing to the settlement of labor disputes, the average is slightly in excess of 200 cars per day, and to overcome the shortage it would be necessary to increase this number to 600 cars per day through the New England gateway, which, in the opinion of those qualified to pass judgment upon the subject, from the angle of production as well as railroad transportation, is an impossibility.

At the present time the total of anthracite coal in Boston is less than 11,000 tons, and slightly less than 40,000 tons of bituminous coal, which represents, under winter conditions, less than a two days' supply of coal. The average price of bituminous coal during 1921 was \$10.50 per ton and anthracite coal \$15 per ton. The price at present is about \$14.50 per ton for bituminous and \$18 per ton for anthracite, and it is not unreasonable to believe that advantage will be taken of the situation by the coal dealers to further advance prices.

With a twofold object in view, first to secure fuel for those in need and who, because of straitened financial circumstances, are obliged to live from day to day as it were; and, second, through the sale and distribution at a price sufficient to cover the cost of purchase and delivery for the purpose of preventing profiteering, I respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That under authority of sections 19 and 20 of chapter 40 of the General Laws the sum of two hundred and fifty thousand dollars (\$250,000) be and the same is hereby appropriated for fuel supplies, etc., and that to meet said appropriation the City Treasurer be hereby authorized to issue, from time

to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

Further ordered, That the income received from the sale of fuel supplies be credited to the appropriation.

Referred to the Executive Committee.

TRANSFER, SOLDIERS' RELIEF DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, October 2, 1922.

To the City Council:

Gentlemen,—I transmit herewith request for transfer within the appropriation of the Soldiers' Relief Department and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Soldiers' Relief Department,

October 2, 1922.

Hon. James M. Curley,

Mayor of Boston.

Sir,—I respectfully request authorization for the transfer of the following sums:

From the appropriation for A-1, Permanent Employees, Commissioner, 1 at \$5,000 per year, \$748.34; Stenographer and Typist, 1 at \$1,200 to \$1,300 per year, \$216; Clerks, 2 at \$1,200 per year, \$1,035.66, to the appropriation for A-2, Temporary Employees, \$2,000.

This transfer is requested in order to provide for the continued employment of ten employees who are now being paid on the temporary roll of this department. The original amount providing for temporary employees is now practically exhausted, and without this transfer it will be necessary to let these people go. This would seriously interfere with and handicap the work of this department. Hence I am requesting the transfer.

Respectfully yours,

CHARLES J. FOX,

Acting Soldiers' Relief Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Soldiers' Relief Department:

From the appropriation for A-1, Permanent Employees, Commissioner, 1 at \$5,000 per year, \$748.34; Stenographer and Typist, 1 at \$1,200 to \$1,300 per year, \$216; Clerks, 2 at \$1,200 per year, \$1,035.66, to the appropriation for A-2, Temporary Employees, \$2,000.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Armstrong Transfer Express Company, for compensation for damage to taxicab by fire apparatus.

Joseph Cortese, for compensation for injuries received on the East Boston Ferry.

M. Doyle & Co., for compensation for damage to truck by a defect in street at 41 Wormwood street.

Mae S. Glazer, for compensation for damage to truck by a defect in street at 41 Wormservice.

Frank Imbruglia, for compensation for damage to automobile by a police patrol truck.

Arthur F. Johnson, for compensation for damage to automobile by a hole in I street, South Boston.

John William Larkin, for injuries received on a city tipcart on lot between Second and Third streets, South Boston.

Mary G. McDonald, for compensation for injuries caused by a defective fence on Ruth-erford avenue.

Mary Millage, for compensation for injuries caused by a police auto patrol.

Lena D. Rittenberg, for compensation for damages by water at 16, 18 and 20 North Russell street.

Isaac Saperia, for compensation for damage to wagon on the East Boston Ferry.

Francis Steinberg, for compensation for injuries due to a fall at 78 Green street.

Unclaimed Baggage.

N. Y., N. H. & H. R. R. Co., for permission to sell unclaimed baggage.

APPOINTMENTS BY THE MAYOR.

The following appointment was received through the City Clerk from the Mayor, a certified copy of the same having been delivered to the Civil Service Commission, viz.: Wilfred J. Doyle, Retirement Board. Placed on file.

FIRST ASSISTANT ASSESSOR.

Notice was received from the Board of Assessors of the appointment of Joseph P. Dempsey as first assistant assessor. Placed on file.

TRACK LOCATIONS.

Copies of orders were received from the Street Commissioners granting locations to the Boston Elevated Railway Company, viz.: Track on Dorchester avenue, fourteenth location.

Relocation of turnout, Blue Hill avenue, fifteenth location.

Placed on file.

INDORSEMENT OF MAYOR CURLEY ON GAS QUESTION.

Coun. WATSON offered an order—That the City Council stands unqualifiedly back of Mayor Curley in his efforts toward a reduction in the price of gas, and that a committee of three of the Council be appointed by the President to appear before whatever tribunal that may hear the Mayor's plea.

Passed under a suspension of the rule.

PRINTING OF BOSTON POST ARTICLE.

Coun. WATSON offered an order—That the article in the Boston Post of October 1, 1922, in reference to the history of Miss Nicolay, entitled "Book of American Wars," be printed as a city document.

Coun. WATSON—Mr. President, my purpose in offering that order is that the public may know officially that one of the highest authorities on history in the United States, Prof. Albert Bushnell Hart of Harvard, indorses the attitude of this body as expressed unanimously last Monday through an order calling on the Library Trustees to remove from the library the book entitled "American Wars," by Miss Nicolay. It is so seldom that this body gets the credit it is really entitled to that I think we ought to pass this order today under suspension of the rule, and have a sufficient number of the documents printed to distribute throughout the United States. I have already had innumerable letters requesting the minutes of the Council that contained my remarks concerning the book.

I want to say further that you cannot now purchase one of the books in Greater Boston. The Boston Post editor informed me last Tuesday that he had tried everywhere to get a copy of Miss Nicolay's book, and that there were none to be obtained, the sale being so great because of the advertising that this body gave the book. I trust that the rule will be suspended and the order passed at this time.

The order was passed under suspension of the rule.

REMOVAL OF STRUCTURE ON COMMON.

Coun. LANE offered an order—That the Transit Commission be requested, through his Honor the Mayor, to remove at once the temporary structure erected on Boston Common near the Park Street Subway entrance.

Coun. LANE—Mr. President, I move a suspension of the rule for the passage of the order. This structure has been on Boston Common for over a year. It was all very well for citizens to have put up with the inconvenience of having it there while the platforms were being fixed in the subway, while they were increasing the length of the platforms and fixing up the exits in connection with the Cambridge Subway, in order to accommodate the people. But the work is now completed, and I certainly trust that the people of Boston will be put to no more inconvenience in the matter. That structure interferes with the use of the mall, and I think it should be taken down at once.

The order was passed under a suspension of the rule.

SIDEWALK ORDER.

Coun. WATSON offered an order—That the Commissioner of Public Works make a sidewalk along No. 2 Peter Parley road (104 feet on Peter Parley road and 50 feet on Forest Hills street), Ward 22, in front of the estates bordering thereon, said sidewalk to be from 3 to 18 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

LEAVE OF ABSENCE TO CITY DELEGATES.

Coun. GILBODY offered an order—That the heads of departments be authorized to allow all city employees who are delegates to the convention of the American Legion, to be held in New Orleans, La., from October 12 to October 16, leave of absence without loss of pay.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.53 o'clock p. m., on motion of Coun. Lane to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 5.26 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Mayor, communication and order (referred today) for transfer of \$6,039.52 from Reserve Fund to appropriation for Register of Deeds—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

2. Report on message of Mayor, communication and order (referred today) for transfer of \$2,000 in Soldiers' Relief Department appropriation—that the order ought to pass.

Report accepted; order passed, yeas 8, nays 0.

3. Report on message of Mayor and order (referred today) for loan of \$250,000 for fuel supplies, etc.—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 8, nays 0.

The order will take its final reading not less than fourteen days from date.

COUNTY ACCOUNTS.

Coun. FORD, for the Committee on County Accounts, submitted a report on communication from the chief justice of the Municipal Court (referred February 20) concerning retirement of probation officer Wordell—recommending the passage of the following, viz.:

Ordered, That Arthur A. Wordell, probation officer of the Municipal Court of the City of Boston, be retired from active service as probation officer of said court, under the provisions of section 75 of chapter 32 of the General Laws, his retirement pay to date from the first of the fiscal year 1922.

Report accepted; order passed.

EDWARD F. CUMMINGS SQUARE.

President BRICKLEY offered an order—That the junction of Bayswater street and St. Andrew road be named Edward F. Cummings square, in memory of said Cummings, who died from the effects of injuries received in the World War.

Passed under a suspension of the rule.

CONFIRMATION OF APPOINTMENT.

President BRICKLEY called up unfinished business, No. 1, viz.:

1. Action on appointment submitted by the Mayor, September 25, 1922, of Gilbert A. Campbell, to be a Weigher of Coal.

The question came on confirmation. Committee—Coun. Walsh and Moriarty. Whole number of ballots cast 8, yeas 8, nays 0, and the appointment was confirmed.

UNCLAIMED BAGGAGE.

Coun. MORIARTY, for the Committee on Unclaimed Baggage, submitted the following report on petition of the N. Y., N. H. & H. R. R. Co. (referred today) for permission to sell unclaimed baggage—recommending the passage of the following, viz.:

Ordered, That the N. Y., N. H. & H. R. R. Co. be hereby authorized to sell at public auction on or before October 16, 1922, and after publication of the time and place of sale, according to law, the articles left and remaining unclaimed in the possession of said company in the City of Boston.

Report accepted; order passed.

SIDEWALK, HENSHAW STREET.

Coun. WATSON offered an order—That the Commissioner of Public Works be requested to arrange with the contractor now constructing granolithic sidewalks on Bentley street to construct granolithic sidewalk in front of No. 35 Henshaw street.

Coun. WATSON—Mr. President, the reason for the introduction of that order is this. A gentleman from Brighton came in to me today and asked me to use what little influence I could to have this walk placed around the corner of Henshaw street, by his property. I gave him a card to the Commissioner of Public Works, but he was told

that nothing could be done about it. I think, in view of the fact that it will mean only a small extra expense to have 40 feet more added, and it would mean a good deal to a property owner, that a request from us might have some effect. I therefore move a suspension of the rule.

The rule was suspended and the order was passed.

COMMITTEE ON SUPPLY OF FUEL.

Coun. WATSON offered an order—That the President appoint a committee of three to act in conjunction with the Executive Department

in the matter of the purchase and distribution of coal by the city.

Passed. The President appointed as said Committee Coun. Watson, Lane and Gilbody.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 6.02 o'clock p. m., on motion of Coun. MORIARTY, to meet on Monday, October 9, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 9, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Hagan.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Ten traverse jurors, Superior Civil Court, First Session, to appear October 16, 1922, October Sitting.

John L. Sullivan, Ward 1; John J. Mahoney, Ward 2; Patrick F. Sullivan, Ward 5; Thomas F. Heffernan, Ward 6; Charles S. Brown, Ward 7; Frederick J. Bradley, Ward 8; Michael J. Thornton, Ward 9; Timothy J. Crowley, Ward 10; Arthur E. Hodgkins, Ward 12; Clarence M. Rogers, Ward 14.

Twelve traverse jurors, Superior Civil Court, Second Session, to appear October 16, 1922, October Sitting.

Anthony L. Mondello, Ward 5; Leonard A. MacCormack, Ward 8; Thomas M. Keenan, Ward 11; Levi J. Theall, Ward 12; Thomas H. Heffernan, Ward 13; Joshua Bond, Ward 15; John Donohue, Ward 15; Nathan Elzholz, Ward 16; John R. Brett, Ward 17; Leon G. Dannenhoffer, Ward 22; Charles B. McDougall, Ward 24; John H. McNamara, Ward 26.

Ten traverse jurors, Superior Civil Court, Fourth Session, to appear October 16, 1922, October Sitting.

Herbert M. Swirn, Ward 1; James W. Mogan, Ward 2; Arthur J. McNeil, Ward 2; Austin G. O'Malley, Ward 8; John H. Shine, Ward 10; Martin Greaney, Ward 12; George J. Lynch, Ward 16; Edward T. Roche, Jr., Ward 20; Olaf Olson, Ward 22; Theodore T. Marshall, Ward 24.

Ten traverse jurors, Superior Civil Court, Fifth Session, to appear October 16, 1922, October Sitting.

Abraham Sklar, Ward 5; Maurice S. Benjamin, Ward 7; Albert C. Haley, Jr., Ward 9; Frank A. Ford, Ward 10; Abe S. Quint, Ward 16; Jacob Goldberg, Ward 18; Enil A. Holmstead, Ward 20; Patrick O'Hearn, Ward 20; Francis L. Morton, Ward 22; Robert Connors, Ward 26.

- PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Clarence F. Davis, for compensation for damages done by a train at 705 East Broadway.

G. J. Galbraith, for compensation for damage to a automobile by a patrol wagon on March 6, 1922.

Charles Jones, to be paid for a blanket lost at the City Hospital.

Mrs. Anna G. McKinney, for compensation for injuries caused by a hole in pavement at corner Cottage and Dudley streets.

Elsie L. Mulvey, to be paid for plate glass window at 251 Atlantic avenue, broken by a Fire Department ladder.

John J. Regan, for compensation for injuries received and for damage to car which was commandeered by a patrolman.

Nellie Varrs, for compensation for injuries caused by a defect in Humboldt avenue at Munroe street.

Annie G. Whalen, for a hearing on her claim on account of injuries caused by a defect in highway at corner Washington street and Temple place.

Abraham Wolfson, for compensation for damages

at 20 Ruthven street, caused by defective water pipes.

Pauline Snyder, for hearing on claim on account of defect at 79 Chambers street.

David J. Brickley, for compensation for damage to automobile by defect in Tremont street.

Jitney Licenses.

Alfonso Roberto, for license to operate two motor vehicles between East Boston and the town of Revere.

Notices of Contracts.

Notices were received of interest in contracts, viz.:

Courtenay Guil', with the Police Department.

J. Waldo Pond, with the City of Boston.

Placed on file.

NOTICE OF HEARINGS ON GASOLENE PETITIONS.

Notice was received from the Street Laying-Out Department that hearings will be given on Monday, October 16, at 11 o'clock a. m., on the following petitions:

John H. McDermott, trustee, B street, etc., Ward 9, 1,000 gallons.

Lionel D. Greene, 694 Blue Hill avenue, Ward 19, 1,000 gallons.

Three Fields Garage, 1356 Commonwealth avenue, Ward 25, 1,000 gallons.

Referred to the Executive Committee.

CONSTABLE'S BOND.

Notice was received from the City Treasurer of approval of constable's bond of Samuel M. Beresnack.

Approved.

ANNUITY TO WIDOW OF WILLIAM C. SWAN.

Coun. BRICKLEY offered an order—That an annuity of six hundred dollars be allowed and paid to the widow of William C. Swan, late a member of the Fire Department, who died from injuries received in the performance of his duty; said annuity to continue so long as she remains unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Passed under suspension of the rule.

SUPPRESSION OF KU KLUX KLAN.

Coun. GILBODY offered a resolution: Whereas, an unwelcome, un-American secret organization has made its appearance in this city under the name of the Ku Klux Klan; and

Whereas, This said society attacks in secrecy our foremost citizens and citizenship in a most vile and scurrilous underhanded manner; be it

Resolved, That we, members of the Boston City Council, are unalterably opposed to the Ku Klux Klan and its growth in this city, and urge the authorities to bend every effort to suppress this organization.

Coun. GILBODY—Mr. President, I ask for a suspension of the rule and the passage of the order. In passing, I would like to say just a few words.

While in my opinion and in the opinion of the leaders of the societies attacked by this organization, the best and simplest way is to ignore them entirely, giving them just as little consideration as possible, in view of the fact that reliable and reputable business men have told me that meetings have been called in certain parts of the city today in the interest of this society, and that is a matter of positive knowledge, I have introduced this resolution for the sole purpose of acquainting our citizens with the fact that the city government of Boston is opposed to the organization. I ask a suspension of the rule for the passage of the resolution.

Coun. WATSON—Mr. President, while I have no objection to the resolution, I do want to go on record as having a word to say concerning the Ku Klux Klan. I think, first of all, that it is a joke. I think it ought to be laughed out of town rather

than treated seriously. Organizations such as this cannot exist in America long. I think the less attention people pay to the Ku Klux Klan and such movements the sooner they will die. I see, however, no harm in the resolution, but I do want to go on record as saying that serious-minded people are treating the matter as a joke, that the whole thing will end in a joke, and that in the mind of proper people the whole movement will be deemed as of very little consequence.

The preamble and resolution were passed under suspension of the rule.

POSSIBLE APPROPRIATION FOR POLICE BAND.

Coun. WATSON offered an order—That the City Auditor be requested, through his Honor the Mayor, to inform the City Council whether or not, in his opinion, it is possible for the city to expend money for the purchase of uniforms or instruments for, or otherwise contribute to the maintenance of, the band recently organized in the Police Department.

Coun. WATSON—Mr. President, I want to say that I have introduced that order at the suggestion of several citizens, for the following reasons: The Boston Police Department, while the City of Boston pays the bills, is not controlled by us but by a state commissioner, a man appointed by the Governor. I have no desire to reflect on the commissioner, because I think Police Commissioner Wilson is going to make a fine commissioner. Now, the band of the Traffic Department, I understand, has made wonderful progress, as has been pointed out to me by several gentlemen, two of whom have written letters which I desire to have made a part of the record. The men who play in the band are all veterans of the late war, and they now have to buy their instruments, their uniforms and their music themselves, paying the bills out of their earnings. It seems to me Boston ought to follow in the path of New York, Philadelphia, Los Angeles and Chicago in this matter, doing something to help out this organization. I, for one, would like to see the traffic band of the Boston Police Department the official band of the City of Boston. Further, I would like to see the City of Boston provide the means to pay for the instruments, music and uniforms. I am backed up in this proposition by several gentlemen, two of whom have written to me, and I will pass the letters over to the stenographer to be made a part of the record. I trust that the order will pass under a suspension of the rule.

Coun. MORIARTY—Who are the letters from?

Coun. WATSON—For the benefit of the member I will read them.

Coun. MORIARTY—I just wished the names, that is all.

Coun. WATSON—The names are Allen R. Frederick and Russell B. Clark. I will read the letters. [Reading.]

"Allen R. Frederick,
193 Hanover Street,
Boston, September 30, 1922.

Hon. James A. Watson,
City Hall, Boston, Mass.:

My dear Mr. Watson,—It has been called to my attention that the police band of the traffic squad is supported solely by the members of the Boston Police Department.

I have heard considerable comment on this matter—the general comment being that the City of Boston with its prestige and its love of good music should certainly assume the task of footing the bill.

I would strongly urge upon you the wisdom of introducing a bill into the City Council which would provide for the financing of our famous Boston police band, and I am doubly sure that it will receive the hearty support of the Council.

Very cordially yours,
ALLEN R. FREDERICK."

The other letter is as follows:

"Bullet Proof and Nonshatterable Glass Sales Co.,
Carney Building, 43 Tremont Street,
Boston, Mass., September 28, 1922.

Mr. James A. Watson,
City Council, Boston, Mass.:

My dear Mr. Watson,—I have had the pleasure on several occasions of listening to the municipal

band and upon inquiring how the band is financed, I find that this duty lays solely with the members of Boston's finest.

It seems very fitting, at this time, to suggest that together with the excellent work which you have accomplished as counselor—

I did not read that part before.

—"a lasting remembrance of your service to the city and to its people, might be further enhanced if you were instrumental in persuading the City Council to finance the now splendidly organized band of one of the finest, if not the finest, traffic squad in the country."

I will have to interject a word about its being the finest traffic squad in the country, that may be so, although I may have a little doubt about it. They may be fine, but not extra.

"I understand that at the recent convention of traffic police, our largest cities,—New York, Philadelphia and Chicago, especially New York,—voted to adopt some of the signals now in force in Boston, and if our signals are good enough for New York, which wholly maintains its municipal band, surely Boston can do as much for its guardians of the public safety.

May I thank you for your interest you have taken in the past, and trust the future holds equally as brilliant a career.

Most cordially yours,
RUSSELL B. CLARK."

I trust that the rule will be suspended, and that the order will be put upon its passage at this time.

Coun. MORIARTY—Mr. President, I would like to read the order [examining order]. I want to say that I have no objection to getting the information asked for as to whether money may be spent for this purpose. But when the Police Department wanted to buy riot guns they did not come to the City Council and ask for the right to spend the money, but simply went ahead and purchased them. They went out and bought the riot guns, and they have them now. In so far as the Police Department are concerned, they have, in my estimation, more power than any other body that was ever constituted in the world. The Police Commissioner, if he so decides, has a right under the law to go out and buy an individual automobile for each policeman to cover his route. I feel that if the Police Commissioner saw fit to allow men in the department to form a band—and I don't like to talk about the band, but would rather talk about the living—while I didn't even think they would be given that liberty, the department can, if it wishes, furnish means to support the band. I feel, personally, while I am just as great a lover of music as anybody, that if there are going to be instruments used and band organized, and we are going to pay for the uniforms, the instruments and the music, we should give them to our school children, not to the policemen or any other body of citizens. Give them to the children; give them to every school. The idea of making the policemen's the official band of the city will never get my vote, because we have too much police rule now. I had called to my attention yesterday on the street where I happened to live a contractor working out there with an engine and a cement mixer on the street, and making a great racket. I happened to go to church, and during my few minutes in church all I could hear was that engine and cement mixer working. I went out to the job and saw the city inspector and found out that they got a permit from the Police Department. Now, so far as the Police Department is concerned, they have absolutely no right to give anybody permission to violate the law. I looked at the permit, and one part of the permit was written in, saying, "no noise." I went to the policeman on the beat, and I said to him, "Have you read that permit?" He said, "No." I said, "Can't you stop them?" and he said, "No; you will have to go to the captain." It depends on who violates the law. Of course, I live in a residential section of South Boston, and it is in that thickly populated section that this sort of thing was allowed to be carried on. The Police Department would not have allowed yesterday any contractor to go out on Commonwealth avenue and have an engine and cement mixer at work in that way, but it is allowed over where the people live. I feel that the Police Department now has too much power. I believe the Police Commissioner has too much power. As far as voting to find out whether we have the right to appropriate money for such purposes, I have no objection to getting light on the matter. But I do object to giving any more power to that department. If there is going to be

any more money spent for instruments and uniforms, I believe in giving it to the School Department, so that the children of all the citizens may have an opportunity to learn music and to play, being taught by proper officials.

Coun. WATSON—Mr. President, it is unfortunate that the councilor opposite and I have to disagree on this proposition. I don't know just how to answer him, in view of the fact that he has no objection to the order. After stating that he has no objection to the order, however, he then proceeds to oppose it in a way by stating what he favors and does not favor concerning equipping school children or police officers with band instruments, uniforms, and so on. I am at a loss just how to reply to him, except to say this. He tells us about the Police Department permitting something in South Boston that it would not permit on Commonwealth avenue. He may be right about that. I will not argue the matter with him, but he ought to know that any emergency work that may be required on Sunday must be allowed by the Police Department. That is the case, for instance, in regard to circuses which come to town. Where they have to work over Sunday to get the tent and grounds ready, the permit for that work must be issued by the Police Department. I suppose that is what happened in connection with the work that the gentleman has referred to in South Boston. Now, in regard to permitting the school children to have musical instruments, I favor that, too, and I understand that the school children do have them. The high schools have bands, fife and drum corps, and I presume that the School Department pays for the fifes, drums and bugles. But, if not, I would be glad to vote for an order providing that the city bear the expense. The gentleman is one who is not pro-Boston Police Department, but I do not speak as one who is pro-Boston Police Department, either. The gentleman opposite may have his feelings in the matter, but he has not had some experiences with the new department that I have had. He never rode in a wagon since the new department came in, and I have, and the public of Boston knew it. I put the war off the front page, had an exclusive! This was simply because of contact with a rather fresh police officer, who used his power and gave me a ride. I hold no brief for members of the department individually, but as a whole I think they are doing fairly well. I don't say that they are 100 per cent perfect. But when they have a band, and are playing even to amuse themselves in their nonworking hours, they should not be compelled to buy the instruments. Let us be broad. The gentleman opposite is sincere in his opposition, but some things are like waving a red flag in front of a bull to him. Sometimes these things appeared in the same way in the old days, but I got older and acquired the philosophy of old age. He still retains his buoyancy and enthusiasm in these matters. I remember back in 1898, in the old Common Council, that every time a copper showed his head I wanted to hit him with a club. I don't blame the gentleman for his feelings in the matter, but I will blame him if he continues to oppose the order supplying instruments and using as an argument against it the idea that he would rather see the school boys have a band. I will help to have the school boys get a band. I have lived near a school in Roxbury, where they desired to have a band, and I paid my pro rata and have continued to do it since, when I had the opportunity and means, entirely independent of the city. We ought to encourage things of this kind, and I believe the councilor after due reflection will look at the matter differently. We have a very good Police Commissioner now, a man brought up in the old school, not like his predecessor—and his predecessor, Mr. Curtis, was my friend, although I did not agree with his ideas at all. But the present commissioner, I am told, almost universally, is trying to make good. His last action, compelling police officers to reside in Boston, shows a trend in the right direction, and I am satisfied that deep down in his heart the present Police Commissioner believes in home rule for Boston, that he believes the Police Department should be controlled by the citizens of Boston and not by a metropolitan commissioner. While he has not expressed himself in that way to me, I know him and knew his father before him. His father was a foreman in the Brighton paving yard. Now, I hold no brief for Herbert Wilson, but when he was Building Commissioner he made good, as we all know, and if he makes as good a Police Commissioner, as I believe

he will, we are to be congratulated on his being selected for that position, even although he is a Republican, and I hate like the devil to say anything kind about the Republicans. I sincerely trust that the order will pass under suspension of the rule, to which I trust Coun. Moriarty will not object, because the order does not provide means, but simply asks for information. I think, when he considers the matter seriously, in the bigness of his heart—because, after all, he has a great big heart—he will agree with me, although he may not be a friend of the present coppers, but we ought to help the band. The Police Department members now have to pay for their own instruments, and I feel that they should not be obliged to do so. I sincerely hope that the order will pass under a suspension of the rule.

Coun. MORIARTY—Mr. President, Coun. Watson has me wrong. I have no feeling against the new commissioner, and I had no feeling against the old commissioner. There was simply a difference of opinion in regard to the running of the department. He and I differed. He had a right to his opinion, and I believed I had a right to mine. As I say, I did not believe they would allow any organization in the Police Department, and I was surprised that they should allow them to have a band, let alone anything else, because no men could be under more oppression than has been exerted in the Police Department. When a man went off duty, if he went to Cambridge, he had to notify his captain that he was going out of town, and if he lived in Brighton he had to go out of town to get home.

Coun. WATSON—No, he didn't.

Coun. MORIARTY—Well, if he rode on the cars and went out through Western avenue, he had to go through Cambridge to get home. If he didn't he would have to ride around a farther distance and take a great deal more time. If this order came in from the Police Commissioner, asking that money be furnished to equip the Police Department with instruments, I would vote for it, but I don't think we ought to give him anything he does not ask for. As far as the law is concerned, he has a right to take this power without our giving it to him, and nobody knows that better than the man who has introduced the order. Again, as far as the School Department is concerned, we cannot give them any money, because their act is just as broad as that of this department. They take what they want, and we don't give them anything. After the Police Department and the School Department take what they want, we come in here and spend what they have left. The School Department gets its money through legislation and the Police Department gets its money through legislation. I don't believe in putting any false notions into the heads of those running either department, because I think both of them are taking more money than they are rightfully entitled to for the protection of the citizens, and for the care of the children of Boston. As I say, when they desire to buy a riot gun they do not come down and try to get any assistance here. They simply go out and get them and the citizens of Boston have to pay for them, whether they like it or not. As far as the policemen are concerned, I will vote to raise their pay tomorrow.

Coun. WATSON—I won't.

Coun. MORIARTY—Well, I will, and maybe I don't like any of them, but I might say that a good fellow may hit the job some day, and I don't want to stop the good fellow. But as far as putting any false notions into the head of the Police Commissioner now, I do not care to do so. As far as I know, I am on very good terms with him. When he was Building Commissioner I know I was. Of course, as Police Commissioner, I don't know until I go there whether I am on good terms with him or not.

Coun. WATSON—Perhaps you don't dare to go up and take a chance.

Coun. MORIARTY—Well, I am not afraid of anything, and I have always been ready to take a chance on anything once. That is why I decided to be with the old force. My sympathy was with them, and it is with them yet, although it is not worth anything, because sympathy won't buy a thing. Of course, because I opposed Station 2 the newspapers of Boston saw fit to say that I was trying to hamper the Police Department. No, I was trying to hamper some of the real estate promoters, and I mentioned their names. It may be that those two fellows who wrote the letter

may be interested in instruments that they want to sell. I don't know who they are. Their names sound to me as though they might be the worshippers of "law and order." I don't know them, and may be they are not. But I have heard so much "law and order" that I have got into the frame of mind that, when I hear some of these fellows shouting "law and order" I think of the story of the man who stole goods and shouted "Thief," to attract attention to somebody else, while he had the goods in his own possession. So it may be that the men who wrote the two letters want to sell instruments. As far as the policemen are concerned, I am not against them individually and would not walk across the street to do one of them an injury. I know a great many of them might more than walk across the street to do me an injury. But as far as getting information is concerned, I am always glad to get information, because if we have a right to spend money for the Police Department, I would like to know it. I don't think we have. I think the councilor who introduced the order knows that we have not. We might have a right to suggest, but as far as authorizing the department to buy anything is concerned, he knows that we have no such right, because he has been here longer than I have and he knows that that question has come up here time and time again. I hope that we have some such rights as far as that department is concerned, but I feel very sure that we have not. I am not in sympathy with the purpose of the order. The only sympathy I have in being willing the order should pass is that we may get light. If the councilor on the other side, after he gets the information, finds that he has a right to introduce an order to buy instruments for the Boston Police Department, I will vote "no" on such an order if it is introduced. But if there is something in the law that gives us any such right, I have not been able to find it, with my limited intelligence. If somebody else can show me that we have some such power, I would like to know it, but I certainly don't know about it. I am willing to find out whether that is so, perhaps using the information in some other way at some other time. But if you get the information and find that you are right and that we have a right to pass such an order, if you then introduce the order to buy instruments for the Boston Police Department, I will vote "no" on buying the instruments.

Coun. WATSON—Mr. President, all I am trying to do is to provide means whereby the members of the traffic band of the Police Department may be relieved of the expense of buying the instruments. Whether that might be done by requesting the Police Commissioner to find the means, or through an order that we introduce or an order initiated by the Mayor, I care not. I am not interested in simply putting in an order to find out what we can do, but I do want to accomplish something. In order that we may find out what we can do, and perhaps be able to accomplish something, I ask that this be referred to the Executive Committee, to frame an order, and then the Police Commissioner may find the means.

Coun. MORIARTY—Mr. President, I am opposed to the order, and I am going to vote "no" on it now. I was willing to vote for the order on its face value. The order reads plainly "That the City Auditor be requested, through his Honor the Mayor, to inform the City Council whether or not in his opinion it is possible for the city to expend money in the purchase of uniforms or instruments for, or otherwise contribute to, the maintenance of the band recently organized in the Police Department." I said I was willing to be enlightened. Now, if the order is not introduced in that spirit, I am opposed to the order. I have said frankly that I would vote against it if it came in here in the form of providing the means for this purpose, it being found that we had the right to do it. I did feel that the order in its original form might very well go through, but it now seems to be getting beyond that point. I believe the councilor on the other side knows that the act creating the Police Commissioner was the widest act that was ever created in any state, giving to the commissioner, one man, the greatest power that any man in a similar position has ever held. Of course the gentleman opposite may go to the Police Commissioner in this matter, and if the Police Commissioner sees the matter in the same light that he does, the commissioner will have the right to go out and buy the instru-

ments, and, whether or not we like it, we will have to meet the expense. I am now opposed to the order.

Coun. WATSON—Mr. President, I have been trying to use oil, rather than sand in this proposition, but I do not seem to be making much headway. I am willing to accept the gentleman's suggestion that we simply vote on the order as a means of obtaining light, at this time, if he has no objection. I now move a suggestion of the rule that the order may go on its passage, so that we may get the information, and I understand that the gentleman opposite would like the information. I think that will satisfy the gentleman opposite.

The order was declared passed. Coun. MORIARTY doubted the vote and asked for the yeas and nays. The order was passed, by roll call, yeas 4, nays 2.

Yeas—Coun. Brickley, Ford, Lane, Watson—4.
Nays—Coun. Moriarty, Walsh—2.

QUESTION ABOUT HISTORIES IN SCHOOLS.

Coun. WATSON offered an order—That the School Committee be requested to inform the City Council whether or not any of the books named in the following list are in use in the public schools, either as text books or reference books: "A History of the United States for Schools," by McLaughlin and Van Tyne, 1919. D. Appleton & Co.

"School History of the United States, Revised," 1920, by Albert Bushnell Hart. American Book Company.

"American History for Grammar Grades," by Everett Barnes, 1920. D. C. Heath & Co.

"Short American History by Grades," Parts I. and II. by Everett Barnes. D. C. Heath & Co.

"School History of the United States," by John P. O'Hara. 1919. MacMillan Company.

"Burke's Speech on Conciliation," edited by C. H. Ward, 1919. Scott, Foresman & Co.

"Our United States," by W. B. Guiteau, 1919. Silver, Burdett & Co.

"American History," by D. S. Muzzey, 1920. Ginn & Co.

"Builders of Democracy," by Edwin Greenlaw, 1918. Scott, Foresman & Co.

"History of the American People," by Willis Mason West, 1918. Allyn & Bacon.

Coun. WATSON—Mr. President, I ask for suspension of the rule that the order may be put upon its passage. I do not intend to take more than two or three minutes on this proposition before the Council, merely stating that I hold in my hand three lengthy articles in the *New York American* of October 1, a week ago yesterday, of the *Sunday* prior to that and the *Sunday* prior to that, which show that these books and other books are pure British propaganda. I realize that there is no opportunity to stop this pro-British propaganda without the assistance of the press. There is less attention paid to British propaganda in the Boston papers than to some minor affairs that happened yesterday and the day before. I believe if E. A. Grozier of the *Boston Post*, William Randolph Hearst of the *Boston American*, the owners of the *Boston Herald*, and Enwright of the *Polegram*, and the other big fellows of all the Boston papers, knew that this propaganda was going on and that these books were being handed to our children, they would soon blaze the way to bringing about a reform. I have no desire to curry favor with the press. If I had, I should probably make no headway. The press will give a front page picture of Jerry Watson with a black eye, will make fun of me in some other respects, but will not let their boys run a line of consequence concerning my action concerning British propaganda. Free press! Have we a free press? I doubt it, sincerely. I care nothing for the men who run the papers, because I observe the law better than they. I am one who believes in obeying the law, who believes in real law and order, and not law and order for the privileged class. We might as well talk plainly, fellow members, and act in a straightforward manner on these things. We are free men because of the action of men in the early days upon whom aspersions are now being cast. When Sam Adams, Otis and others were blazing the way for this free republic, so called, the press of Boston of that time and the intellectual giants and men of

wealth were refusing the multitude who were crying out to be liberated and who were willing to lay down their lives for the freedom of their country. So we need not care what some people say. But we do want results. We need more publicity—not for Jerry Watson or Coun. Watson, not for any members of the body. I care not what is said about me, and many things have been said which have been unfavorable and which have hurt my home life considerably. But, as I said before, I am intensely American. As I said a week ago, I am a descendant of the real American stock. I care nothing for the slurs of the *Kansas City Star*, or of the *Asheville Times*, when they blackguard as "Irish Jerry Watson." I am as proud of the Irish as an Irishman would be, but when they refer to me as being Irish in an insulting tone, it hurts me to the quick, because I am just as good an American as any one can be. I have to meet with insults, taunts and injuries in Boston, because I am frank and outspoken and sometimes cruelly harsh. I oftentimes get a slap in the face and sometimes turn the other cheek, in order to carry my point. I have been traduced and injured because I have the courage of my convictions. Public office to me is nothing. If the public do not like my actions, they have their redress. If they do not desire me to represent them, they have a real American way of replacing me by somebody else. The papers cannot make or break me, and I care little for their opinion, whether that of the editor or of the lowest minion they can employ to assassinate character. I have had my say, but I do wish to have the citizens of Boston know that scant attention is being paid to attempts on my part and those of my affiliates to eliminate from the schools and public libraries vicious British propaganda. In that connection I am going to read to my associates a letter which I was proud to receive. It is from Charles Grant Miller, a man who is intensely American, an associate of Senators Borah, LaFollette and Hiram Johnson, and of other genuine Americans. I will read it for the benefit of my fellow members:

"30 Pennsylvania Avenue, Rosebank, Staten Island, New York City, October 2, 1922.
 "Hon. James A. Watson,
 38 Thornton Street, Boston, Mass.:
 "Dear Mr. Watson,—Your recent favors have been received with appreciation and I have observed with the keenest interest the brave battle you are successfully waging in Boston.

"If we had such men as you in public office in every city of our country, the propaganda snakes would soon be killed off.

"For about a year and a half I have been trying to find somebody in Boston heavy enough to swing the Anglicized school history matter there. Correspondence has been opened with several, but they have turned out to be too timid or too weak for effective leadership. There has been a lot of talk there, I understand; but mere talk, without its translation into systematic action, can be harmful rather than helpful. This vice we are fighting, like any other vice, 'when seen too oft, familiar with its face, we first endure, then pity, then embrace.' We can't talk a snake to death; we've got to hit it with a club.

"All New England could be reached and stirred up on the school history matter by a stiff fight in Boston. It can be managed in such manner, as it was here, that all of the newspapers must carry the facts. They cannot get away from reporting an official investigation. Thus the whole public will get the whole truth.

"Various methods have been employed to force school boards to investigate the charges against the histories. In Boston, it now seems, conditions are favorable for the City Council to call upon the Board of Education for an official investigation of the complaints against all of the texts that are in use in the Boston public schools.

"Inclosed is a copy of the booklet, 'Treason to American Tradition,' treating of most of the Anglicized histories. Of the books treated therein the following are in the list of text books authorized for use in the public schools of Boston:

"In the Elementary Schools: McLaughlin and Van Tyne, Everett Barnes, Hart.

"And in the High and Latin Schools: McLaughlin, Muzzey, Hart, West."
 They are the ones I have referred to in my order.

"I do not know to what extent these books are actually used in Boston; but they are authorized by the School Committee, and it is customary for each principal to select out of the authorized list such texts as he prefers to use. I am quite sure that McLaughlin and Van Tyne and Muzzey are very generally used. The fact that they are authorized for use is sufficient basis for investigation of the charges that they are un-American in their teachings.

"Under other cover I am sending you a copy of the voluminous report of the New York School Committee, which investigated these charges. The printing of this report was very limited and it is now unattainable, and since I have frequent and important uses for it, I am only loaning it to you, and you may kindly return it after you have digested it, if you will.

"Your enrollment in The Patriot League, with membership fee, was received, and I am very glad and proud indeed to have you with us. The membership has not yet become large, but it includes some of the very best people in the country, strategically located and willing to work. It is still only in process of formation; but in a little while there will be some big guns going simultaneously in many sections of the country.

"Every one of the great national patriotic organizations is now officially in line on the history matter, with the exception of the American Legion, which I am assured will act in its national convention soon to be held in New Orleans. I entertain no delusion regarding the patriotic organizations. They are no more patriotic than anybody else—some of them less so. But, psychologically, they stamp the movement as straight-out American, their resolutions make fine publicity, and their individual members in any community can be set into activity at proper time. The chief purpose of The Patriot League is to use the Anglicized histories as a base of operations from which to lead the patriotic organizations just as fast and as far as they will follow in a crusade of popular appeal against all British propaganda.

"Kindly let me know what prospect you see of getting an investigation of the school histories in Boston.

"With highest regard and best wishes always,

"Yours sincerely,
 "Charles Grant Miller."

I might read extracts from the books I have referred to, but it is sufficient to say that the statements in some of them are almost blasphemous. These books refer to John Hancock as a smuggler, they refer to Sam Adams as a low man, they refer to every patriot of the early days, James Otis and others, as being the scum of the earth. Nevertheless, these books are permitted to remain in our schools for our children to read. My girl, twenty-six years of age, went to the primary school for three years, and then, becoming ill, I put her into a parochial school, not paid for by the money of the citizens, but by my money and that of those who belong to our great church. Thank God, no histories can be found there that are un-American; no pro-British history is read in the parochial schools of this district; and I will thank God for the day when the public schools of Boston and of the country will no longer permit proselyting propaganda in favor of Great Britain and against our country to be read by our children. The member opposite, Coun. Gilbody, introduced an order which will do no harm and which may do good, with reference to the Ku Klux, but I think we all realize the fact that the best way to treat the Ku Klux is simply to let them alone. That is not the only un-American organization which has sprung up in the history of this country. History tells us about the old know-nothing days, and other movements in the same line. But they don't amount to anything. They are worthy of nothing but ridicule, and they will pass away very quickly, as they have

done in the past. Did you know that Telfair Minturn, secretary of the Loyal Coalition, is one of those interested in this Ku Klux movement, and did you know that one of the members is Demarist Lloyd also of the Loyal Coalition, who has gone to England, intending to come back here again with more propaganda in favor of "English-speaking peoples?" That is the proposition here—An Anglicized America. But they cannot do it, they cannot do it. All Americans, regardless of their creed, regardless of their forefathers or their parents' birthplace, even though it was across the brine, will not permit any proselyting anglicizing of the history of our institutions, nor will they permit interference with the right of anyone to worship God as his conscience dictates, as provided for originally in one of the first articles of our glorious Constitution, which they are trying now to undermine. I did not intend to speak so long, but it may be said, and truthfully so, that I have an obsession where my Americanism is concerned. The *Kansas City Star*, says that I am Irish. If I were, I would be proud of it. I am only half Irish, because I am married to an Irish father and mother's daughter, and some people say she is the best part of the family, and they may be right. But I am as intensely American as she is, and I sincerely trust that the press will do something towards suppressing this propaganda. You men of the press may say that Coun. Lane, whose forbears came over in the "Mayflower," instituted this attempt that I am humbly making, if you desire. Forget me, if you wish, but be American. Write your copy for the desk and let them tear it to pieces, if they will, and let the blame be placed where it belongs. Don't you attempt to be censors of what is right or wrong. I have no feeling against one member of the press gallery here, not a particle, but I would have if I thought he was pro-British in his leanings. I trust that the order will pass under suspension of the rule.

The order was passed under suspension of the rule.

NEW ENGLAND DIFFERENTIAL SITUATION.

The following was received:

City of Boston,

Office of the Mayor, October 9, 1922.

To the City Council:

Gentlemen,—The industrial future of New England and the happiness of the people is dependent in a large measure upon the decision of the Interstate Commerce Commission in the matter of differentials. The Maritime Association of the Boston Chamber of Commerce in March of the present year filed its petition for a hearing upon the proposition to secure for New England and New York the same measure of equity in the matter of freight rates for all ports on the Atlantic Coast.

In answer to the petition the Interstate Commerce Commission have held hearings in Boston during the past week before a referee and final hearings will be held in November at Washington. At the present time a flat rate obtains along the entire Pacific Coast west of Chicago, while a favored rate obtains for all maritime cities on the Atlantic Coast with the exception of New England and New York. New York being the terminus for many of the railroad trunk lines, because of its position, has not been seriously affected by the discriminatory system of differentials in operation during the past twenty years. The effect on New England, however, has been disastrous owing to the fact that it is impossible for foreign shipping to secure ballast cargo, with the result that our export trade has practically been destroyed and we have become largely a port of call. The justice of our claim for equity in the matter of rates is such that properly presented no fair-minded jury can decide our case adversely. The appended communication from the Maritime Association of the Chamber of Commerce contains a request for financial aid which the importance of the case justifies favorable action upon and I accordingly recommend the adoption of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Ordered, That his Honor the Mayor be and hereby is authorized to co-operate with the Maritime Association of the Boston Chamber of Commerce in the matter of the Boston port differential

case as co-complainant, at an additional expense not to exceed \$2,500, said expense to be charged to the Reserve Fund.

Referred to the Executive Committee.

SECRETARY OF STATISTICS DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, October 9, 1922.

To the City Council:

Gentlemen,—Since the death of Dr. Edward M. Hartwell the Statistics Department has been functioning without the services of a secretary and it is advisable that this defect be overcome at once.

I accordingly recommend the adoption of the accompanying amendment to the ordinances.

Respectfully yours,

JAMES M. CURLEY, Mayor.

An Ordinance Concerning the Salary of the Secretary of the Statistics Department.

Be it ordained by the City Council of Boston, as follows:

Section 1. Section one of chapter thirty-three of the Revised Ordinances of nineteen hundred and fourteen is hereby amended by adding in the second line thereof after the word "trustees," the following: "one of whom shall be chosen by the board as secretary," so that said section one as amended shall read as follows:

Section 1. The statistics department shall be under the charge of a board of five trustees, one of whom shall be chosen by the board as secretary, who shall collect, compile, and publish such statistics relating to the city of Boston, and such statistics of other cities for purposes of comparison, as they may deem of public importance.

Sect. 2. Section five of chapter three of the Revised Ordinances of nineteen hundred and fourteen is hereby amended by adding at the end of said section the following: "The secretary of the statistics department, thirty-three hundred dollars."

Referred to the Committee on Ordinances.

CITY PLAN FOR BOSTON.

The following was received:

City of Boston,

Office of the Mayor, October 9, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the chairman of the City Planning Board and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

September 30, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—In connection with work now going on in zoning and other features of a Comprehensive City Plan, the City Planning Board is embarrassed by the fact that the \$10,000 special appropriation for this work authorizes its use "for the employment of expert assistance," whereas there is considerable incidental expense involved, such as maps, atlases, blueprinting, photostating, etc., which the Board is not in a position to meet out of its office budget. It accordingly requests, therefore, that the order be amended by the insertion of the words, "and for other expenses in connection with," so as to read as follows:

Ordered, That the sum of \$10,000 be expended under the direction of the City Planning Board for the employment of expert assistance and for other expenses in connection with the preparation of a Comprehensive City Plan for the City of Boston, said sum to be charged to the Reserve Fund.

Yours very truly,

FREDERIC H. FAY, Chairman.

Ordered, That under authority of the order passed by the City Council, February 27, 1922, authorizing the City Planning Board to expend

not exceeding \$10,000 "for the employment of expert assistance in the preparation of a Comprehensive City Plan for the City of Boston," that said Board be further authorized to incur other necessary expenses in connection with the work proposed under said order, the same to be charged to said appropriation.

Referred to Executive Committee.

TRANSFERS WITHIN DEPARTMENT APPROPRIATIONS.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1922.

To the City Council:

Gentlemen,—I transmit herewith requests for transfers within department appropriation and respectfully recommend the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Boston Sanatorium:

From the appropriation for A-1, Permanent Employees, Nurses, 28 at \$840 per year, \$2,900, to the appropriation for B-4, Transportation of Persons, \$400; F-13, Industries, \$2,500.

From the appropriation for A-1, Permanent Employees, Male Nurses, 13 at \$480 to \$540 per year, \$83.33, to the appropriation for A-1, Permanent Employees, Assistant Bookkeepers, 2 at \$600 to \$700 per year, \$83.33.

From the appropriation for A-1, Permanent Employees, Social Worker, 1 at \$1,200 per year, \$157, to the appropriation for D-13, Chemicals and Disinfectants, \$157.

From the appropriation for A-1, Permanent Employees, Assistant Cooks, 5 at \$480 per year, \$127.50, to the appropriation for D-1, Office, \$127.50.

From the appropriation for A-1, Permanent Employees, Maids, 29 at \$360 per year, \$475, to the appropriation for C-14, Live Stock, \$150; E-10, Electrical, \$325.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for City Council:

From the appropriation for B-29, Stenographic, Copying and Indexing, \$400; G-5, Contingencies, \$410, to the appropriation for G-1, Flags, Ropes and Stakes, \$810.

Ordered, That under authority of chapter 261, of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Bridge Service:

From the appropriation for A-1, Permanent Employees, Assistant Drawtenders, 91 at \$1,500 per year, \$1,000, to the appropriation for A-2, Temporary Employees, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Water Service:

From the appropriation for B-39, General Plant, \$250, to the appropriation for B-15, Motorless Vehicle Repairs, \$250.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Library Department:

From the appropriation for A-1, Personal Service, \$462.88, to the appropriation for F-7, Pensions and Annuities, \$462.88.

From the appropriation for B-39, General Plant, \$50, to the appropriation for B-22, Medical, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Superior Court, Civil Session, General Expenses:

From the appropriation for B-34, Jurors, \$1,500, to the appropriation for C-10, Library, \$1,500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for the Health Department:

From the appropriation for A-1, Permanent Employees, Dentists, 2 at \$1,200 per year, \$2,018.30; Dental Hygienist, 1 at \$1,400 per year, \$1,075, to the appropriation for B-22, Medical, \$3,093.30.

Referred to the Executive Committee.

TRANSFER FOR POSTAGE METER MACHINE.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the City Collector, requesting a transfer of \$1,336.50 from the Reserve Fund for the purchase of a postage meter machine, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston.

Collecting Department, October 4, 1922.

Hon. James M. Curley,

Mayor of Boston:

Sir,—I respectfully request a transfer of \$1,336.50 from the Reserve Fund to the appropriation for the Collecting Department, C-9, Office Equipment. This amount is required for the purchase of a postage meter machine for immediate use, mailing the tax and meter water bills about which I have spoken to you. The purchase of the machine has been approved by the purchasing agent.

Also a transfer within the Collecting Department appropriation of \$40 from A-1, Permanent Employees, 2 Clerks at \$1,400 to D-1, Office. This amount to cover rent of postage meter for four months, to January 31, 1922, at \$10 per month.

Respectfully,

WILLIAM M. McMORROW, City Collector.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$1,336.50, to the appropriation for Collecting Department, C-9, Office, \$1,336.50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Collecting Department:

From the appropriation for A-1, Permanent Employees, Clerks, 2 at \$1,400 per year, \$40, to the appropriation for D-1, Office, \$40.

Referred to the Executive Committee.

ELECTION FUNDS FOR OUTSIDE REGISTRATION.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the Board of Election Commissioners, requesting additional funds for outside registration work in each of the twenty-six wards, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Election Department, October 3, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—The Board deems it advisable to furnish further facilities for outside registration in each of the twenty-six ward registration places and desires to employ four assistant registrars instead of two, in each of the said ward registration places on the evenings of October 16, 17 and 18, from six o'clock p. m. to ten o'clock p. m.

It becomes necessary, therefore, to have provided additional funds by transfer from the Reserve Fund, as outlined below.

From the appropriation for Reserve Fund, \$780, to the appropriation for A-2, Assistant Registrars, 52 to 104 at \$5 per day, \$780.

Respectfully,
BOARD OF ELECTION COMMISSIONERS,
M. W. BURLIN, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$780, to the appropriation for Election Department, A-2, Temporary Employees, Assistant Registrars 104 at \$5 per day, \$780.

Referred to the Executive Committee.

APPOINTMENT OF WEIGHER OF GOODS.

The following was received:

City of Boston,
Office of the Mayor, October 9, 1922.
To the City Council:
Gentlemen,—Subject to confirmation by your honorable body, I appoint Gesner Corbett, 27 Boylston street, Jamaica Plain, a weigher of goods for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

Laid over under the law.

PENSION STATUS FOR SPANISH WAR VETERANS.

The following was received:

City of Boston,
Office of the Mayor, October 7, 1922.
To the City Council:
Gentlemen,—Chapter 574 of the Acts of 1920 (now sections 56 to 60, inclusive, of chapter 32 of the General Laws) provides in part as follows:

Section 59, chapter 32, General Laws: "The words 'retiring authority' as used in sections fifty-six to sixty, inclusive, shall mean as to the commonwealth, the governor; as to a county, the county commissioners; as to a city, the mayor; as to a town, the selectmen; as to the metropolitan district, the metropolitan district commission; and as to all other districts, the governing boards thereof."

Section 60 of chapter 32 of the General Laws: "Section fifty-six to fifty-nine, inclusive, shall not take effect in any county, city or town or district until accepted by the retiring authority of the particular county, city, town or district, nor shall they apply to veterans who are members of the police department of Boston."

Under the provisions of these two sections it is necessary that the retiring authority which in Boston is the Mayor and the City Council, acting as County Commissioners for Suffolk County, shall approve the acceptance of the act. Otherwise there is no retirement pension status for veterans of the Spanish War.

On October 4, 1920, his Honor the Mayor, Andrew J. Peters, notified the City Council that he had accepted chapter 574 of the Acts of 1920 on behalf of the city, of which chapter the sections referred to above are in part recodified in the General Laws.

The failure of the City Council, acting as County Commissioners, to accept of these provisions, even though approved by the Mayor, deprives the veterans of the Spanish War employed by the County of Suffolk of the pensionable status to which they are entitled.

I accordingly recommend adoption of the accompanying order by your body so that retirement pensionable status may be extended to Spanish War veterans in the service of Suffolk County.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That chapter 574 of the Acts of 1920, now sections 56 to 60, inclusive, of chapter 32 of the General Laws, providing for the retirement and pensioning of Spanish War veterans, be and hereby is accepted on behalf of Suffolk County.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at 3.21 o'clock p. m., on motion of Coun. LANE to take a recess subject to the call of the President.

The members of the Council reassembled in the Council Chamber and were called to order by the President at four o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following:

1. Reports on petitions for gasolene licenses, passed on by the Street Laying-Out Department, recommending that communications on same from the department be placed on file, as follows:

Communication of August 29:
Simon J. Chadwick, 1469 Blue Hill avenue, Ward 24, 1,000 gallons.
Gulf Refining Company, 663 Morton street, Ward 21, 6,000 gallons.
Louis Meynell, 345 North Beacon street, Ward 26, 10,000 gallons.
Frederick W. Sullivan, 81 Tenean street, Ward 20, 32,000 gallons.

Communication of August 19:
Colonial Filling Station, 1586 Blue Hill avenue, Ward 24, 5,000 gallons; 881 Centre street, Ward 22, 5,000 gallons; 46 Lincoln street, Ward 3, 5,000 gallons.

William H. Hickey, 294 Hancock street, Ward 20, 1,000 gallons.

Phillips Petroleum Products Company, 1209-1217 Columbus avenue, Ward 15, 9,000 gallons.
George Riley, 5277 Washington street, Ward 23, 1,000 gallons additional.

Communication of September 5:
Lionel D. Greene, 659 Columbia road, Ward 11, 1,000 gallons.

Katharine H. Pacht, 4168 Washington street, Ward 23, 1,000 gallons.

John Cronas, 203 North Beacon street, Ward 26, 1,000 gallons.

John Manning, Rutherford avenue, Ward 4, 1,000 gallons.

Caroline O. Mock, 358 Norfolk street, Ward 21, 1,000 gallons.

Communication of September 9:
Sam Shwartz *et al.*, 8 and 10 Harvard street, Ward 19, 1,500 gallons.

Colonial Filling Station, Inc., Commercial street, Ward 5, 5,000 gallons; 848 Massachusetts avenue, Ward 12, 5,000 gallons.

John Herbert, 125-131 Merrimae street, Ward 5, 2,000 gallons.

Report accepted; said petitions placed on file.

2. Report on message of Mayor and order (referred today) providing that chapter 574 of the Acts of 1920, now sections 56 to 60, inclusive, of chapter 32 of the General Laws, providing for the retirement and pensioning of Spanish War veterans be and hereby is accepted on behalf of Suffolk County—that the order ought to pass.

Report accepted; said order passed.

3. Report on order (referred today) authorizing the transfer of \$1,336.50 from the Reserve Fund to the appropriation for Collecting Department—that the same ought to pass.

Report accepted; said order passed, yeas 8, nays 0.

4. Report on message of Mayor and order (referred today) authorizing the transfer from the Reserve Fund to the Election Department of \$780 for assistant registrars—that the same ought to pass.

Report accepted; said order passed, yeas 8, nays 0.

5. Report on message of Mayor and order (referred today) authorizing the Mayor to co-operate with the Maritime Association of the Boston Chamber of Commerce in the matter of the Boston Port differential case, as co-complainant, at an additional expense not to exceed \$2,500, to be charged to the Reserve Fund—that the same ought to pass.

Report accepted; said order passed, yeas 8, nays 0.

6. Report on message transmitting sundry orders for transfers within department appropriations (referred today) recommending the passage of the orders making said transfers.

Report accepted; said orders passed, yeas 8, nays 0.

7. Report on message and order (referred today) authorizing the Planning Board to expend not exceeding \$10,000 for the employment of expert assistance in preparation of a Comprehensive City Plan for the City of Boston, and that said Board be further authorized to incur other necessary expenses in connection with the work proposed under said order, the same to be charged to said appropriation—that the same ought to pass.

Report accepted; said order passed, yeas 8, nays 0.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up, under unfinished business, Nos. 1 to 3, inclusive, viz.:

Action on appointments submitted by the Mayor, October 2, 1922, viz.:

1. James F. Mohan, to be a Constable.
2. Edward N. Goldstein, to be a Constable.
3. Allen Whetherhalt, to be a Constable.

The question came on confirmation. Com-

mittee—Coun. Gilbody and Walsh. Whole number of ballots cast 7, yeas 7, and the appointments were confirmed.

President BRICKLEY also called up, under unfinished business, Nos. 4 and 5, viz.:

4. Richard I. Shedd, to be a Weigher of Coal, Weigher of Boilers and Heavy Machinery and a Weigher of Goods.

5. Silas N. Jameson, to be a Weigher of Coal and a Measurer of Wood and Bark and Martin J. Maguire, to be a Weigher of Coal.

The question came on confirmation. Committee—Coun. Gilbody and Walsh. Whole number of ballots cast 8, yeas 8, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. LANE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.15 o'clock p. m., on motion of Coun. MORIARTY, to meet on Monday, October 16, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 16, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President Brickley presiding, and all the members present.

APPOINTMENT BY THE MAYOR.

Subject to confirmation by the City Council, the Mayor submitted the following appointment for term ending April 30, 1923:

Paul A. Freed, 365 Quincy street, Dorchester, to the position of Constable.
Laid over under the law.

TEMPORARY STRUCTURE ON BOSTON COMMON.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the chairman of the Transit Commission, the same being a reply to the order passed by your honorable body on October 2, 1922, requesting the removal of the temporary structure erected by the Transit Department on Boston Common, near the Park Street Subway entrance.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Transit Department, October 10, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—I return herewith order of City Council, dated October 2, requesting the removal of the temporary structure erected by this department on Boston Common near the Park Street Subway entrance.

This structure was erected to permit alterations of the Cambridge Tunnel stairways to upper Park Street Station, which work has now been completed.

The temporary structure has been allowed to remain, pending a decision from the Boston Elevated Railway Company for further alterations at Park Street Station, which will provide a new platform on the easterly side of the Tremont Street Subway, with entrances and exits on the easterly side of Tremont street. These alterations will permit more prompt loading and unloading of through northbound trains, and will greatly improve the movement of teaming traffic on Tremont street by permitting passengers to cross this street underground.

We expect a favorable decision in the very near future from the Boston Elevated Railway Company, and it will be necessary to use these same structures for this work, or else fence off a portion of Tremont street, thereby adding to the congestion which exists at the present time.

Yours respectfully,

THOMAS F. SULLIVAN,
Chairman.

Placed on file.

TRANSFER, ELECTION DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the Board of Election

Commissioners, requesting a transfer of \$780 from the Reserve Fund to further extend registration facilities, and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Board of Election Commissioners,

Boston, October 11, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—The Board deems it advisable to further extend registration facilities in each of the twenty-six outside ward registration places by providing service from 2 p. m. to 6 p. m. on the days of October 16, 17 and 18.

It becomes necessary, therefore, to have provided additional funds by transfer from the Reserve Fund, as outlined below:

From the appropriation for Reserve Fund, \$780, to the appropriation for A-2, Assistant Registrars, 104 at \$5 per day, \$780.

Respectfully,

BOARD OF ELECTION COMMISSIONERS,

M. W. BURLIN, Chairman.

Approved:

Charles J. Fox,

Budget Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer: From the appropriation for Reserve Fund, \$780, to the appropriation for Election Department, A-2, Temporary Employees, Assistant Registrars, 52 (104) at \$5 per day, \$780.

Referred to the Executive Committee.

TRANSFER, SUPREME JUDICIAL COURT.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the clerk of the Supreme Judicial Court, requesting a transfer of \$3,000 from the Reserve Fund to Item B-35, Fees, Service of Venires, etc., and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Commonwealth of Massachusetts,

Supreme Judicial Court,

Clerk's Office, Boston, September 29, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—Our appropriation for budget item 35 is exhausted and we need, for the bills incurred, and to be incurred under this item during the balance of this fiscal year, \$3,000, and I respectfully request that an appropriation of this amount be made.

Respectfully submitted,

JOHN F. CRONIN,

Clerk.

Approved:

Charles J. Fox,

Budget Commissioner.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$3,000, to the appropriation for Supreme Judicial Court, B-25, Fees, Services of Venires, etc., \$3,000.

Referred to the Executive Committee.

ROSE GARDEN AT FRANKLIN PARK.

The following was received:

City of Boston,

Office of the Mayor, October 16, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the Park Commission, requesting an appropriation of \$28,000 from the income of the Parkman Fund, \$25,000 of which is to be used for the construction of a rose garden

at Franklin Park and \$3,000 for the extension of the golf links, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Park Department, October 6, 1922.
Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—At a meeting of the Board of Park Commissioners held October 5 it was voted, that your Honor be requested to ask the City Council for an appropriation of \$28,000 from the income of the Parkman Fund, same to be used as follows:

For the construction of a Rose Garden in Franklin Park, in accordance with plans drawn by Mr. A. A. Shurtleff, landscape architect, submitted to and approved by your Honor in July of the present year...\$25,000
For the extension of the golf links..... 3,000

Yours respectfully,
DANIEL J. BYRNE,
Secretary.

Approved:
Charles J. Fox,
Budget Commissioner.

Ordered, That the sum of \$28,000 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commission for the maintenance and improvement of the Common and parks in existence on January 12, 1887, as follows:

Franklin Park Building, Improvements, etc., \$28,000.

Referred to the Committee on Parkman Fund.

TRANSFERS WITHIN DEPARTMENTS.

The following was received:

City of Boston,
Office of the Mayor, October 16, 1922.
To the City Council:

Gentlemen,—I transmit herewith requests for transfers within department appropriations and respectfully recommend the passage of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Health Department:

From the appropriation for A-1, Permanent Employees, Inspectors, 80 at \$1,400 to \$2,000 per year, \$1,000, to the appropriation for B-42, Music, Concerts, etc., \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Boston Sanatorium:

From the appropriation for D-1, Office, \$127.50, to the appropriation for C-9, Office, \$127.50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Assessing Department:

From the appropriation for A-1, Permanent Employees, Clerks, 3 at \$1,200 per year, \$350; Clerks, 3 at \$1,500 per year, \$350, to the appropriation for A-3, Unassigned, \$700.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Works Department, Sanitary Service:

From the appropriation for E-13, General plant, \$2,000, to the appropriation for A-2, Temporary Employees, \$2,000.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

W. S. Courtney, for compensation for clothing torn on a tree in sidewalk at 49 Bowdoin street.

Alfred Davis, for a hearing on his claim on account of a defect in highway at 36 South street.

Bessie Gillespie, to be paid for collapse of a boiler at 84 Francis street, caused by changing a water meter.

Michael D. Glavin, for compensation for damage to automobile by a runaway team of the Paving Division.

Estate of Katie Hayes, for compensation for damage by blasting at 572 Centre street, Jamaica Plain.

Fannie Klayman, for compensation for injuries due to a defect in highway at Harrison avenue and Troy street.

Fred McDonald, for a hearing on his claim for injuries caused by a defect in highway at 41 Wormwood street.

Marion Quinn, for a hearing on her claim on account of a defect in highway at 435 Sixth street.

Adele Seatore, for a hearing on her claim on account of a defect in highway on Lewis street.

Cornelius Fitzpatrick, to be paid \$70 taken from him at the City Hospital.

Mary Blanchard, for a hearing on her claim for injuries received in front of 122 Tremont street.

Luther R. Harris, for a hearing on his claim for injurious received in front of 70 Blackstone street.

REMOVAL OF BOOK, "AMERICAN WARS."

The following communication was received from the Library Trustees:

City of Boston,
Library Department, October 14, 1922.
Hon. James Donovan,
City Clerk:

Dear Sir,—The order from the City Council under date of September 25, requesting that the Library Trustees remove from the index at once the volume called "American Wars" by Helen Nicolay, published by the Century Company, was presented at a regular meeting of the Board held on Friday, October 6. The librarian was directed to inform the City Council that the communication had been presented to the Board and that the matter had been taken under advisement.

Very truly yours,
CHARLES F. D. BELDEN,
Librarian.

Placed on file.

CHANGE OF NAME OF NORTH END BRANCH LIBRARY.

The following was received from the Library Trustees:

City of Boston,
Library Department, October 14, 1922.
Hon. James Donovan,
City Clerk:

Dear Sir,—At a meeting of the Board of Trustees of the Public Library held on Friday, October 6, the order of the City Council, under date of July 24, that the trustees change the name of the North End Branch, Library to that of "Dante Alighieri Branch," and a communication from you under date of September 26 inclosing a memorandum from Louis Barrasso, were duly presented. The following vote was passed: That the City Council be informed that their communications were presented to the Board, together with a letter on the same subject from Mr. Louis Barrasso; that the trustees gave careful consideration to a similar request in October, 1921, at which time they voted that in view of their long-

established policy in naming branches in accordance with their geographical location, it was inexpedient to comply with the request; and that it is still the sense of the Board that this policy be maintained.

Very truly yours,
CHARLES F. D. BELDEN,
Librarian.

Placed on file.

TEMPORARY APPOINTMENT OF JOHN H. DUNN.

The following was received:

City of Boston,
Office of the Mayor, October 11, 1922.
Hon. James Donovan,
City Clerk:

Dear Sir,—Under authority of section 12, chapter 486, Acts of 1909, I have this day designated John H. Dunn, Soldiers' Relief Commissioner, to discharge the duties of the office of Street Commissioner temporarily.

Respectfully,

JAMES M. CURLEY, Mayor.

Placed on file.

APPOINTMENT OF JOHN H. L. NOYES AS STREET COMMISSIONER.

Notice was received of the appointment by the Mayor of John H. L. Noyes to be a Street Commissioner.

A certified copy of the said appointment was delivered to the Commissioners of Civil Service October 16, 1922.

Placed on file.

PRINTING OF SPEECH OF W. BOURKE COCKRAN.

Coun. WATSON offered an order—That the speech of Hon. W. Bourke Cockran, delivered Columbus Day under the auspices of the City of Boston, be printed as a city document.

Coun. WATSON—Mr. President, I am going to ask a suspension of the rule in order that this order may go on its passage at this time. There was but one member of the City Council present at the affair on the Common on Columbus Day, when I was there, and I was the member. The papers said that there were 15,000 people around the Parkman bandstand. I want to say that in 1896 I was on Boston Common when the Hon. William Jennings Bryan came to Boston, and the newspapers said then that there were nearly 100,000 people on the Common at the time. Of course, the numbers present in such cases are not important, but I simply want to bring to the attention of the public through the minutes of the Council what a great affair the Columbus Day celebration was. As I say, the papers said that there were about 100,000 people on the Common when Bryan spoke there in 1896, but those used to estimating crowds in places told me that there were probably 35,000 to 50,000 people there that night. I saw the crowd that night and I saw the crowd around the Parkman bandstand last Thursday, when they had the great pageant, and I will say that I believe there were half as many more on the Common last Thursday at the ceremonies as at the Bryan speech in 1896. It was the most wonderful pageant I ever saw, and I felt that I was well rewarded for attending. They had amplifiers that carried the voices of the speakers to the utmost boundaries of the crowd, away up onto Soldiers' Hill, and I heard that day two orations, one by Mayor Curley and one by the invited orator, Hon. W. Bourke Cockran, of New York. Mr. Cockran's speech was the most wonderful speech I ever heard, and I have heard them all. I have heard almost all the orators for years—Bryan, David B. Hill, George Fred Williams, and numberless others, but I never heard an oration that excelled the one delivered by Mr. Cockran last Thursday. The subject, too, was one furnishing

food for thought for any orator. Therefore, Mr. President, I ask a suspension of the rule in order that the order may go on its passage and go to his Honor the Mayor.

The rule was suspended and the order was passed.

CONFIRMATION OF EXECUTIVE APPOINTMENT.

President BRICKLEY called up, under unfinished business, the following:

1. Action on appointment submitted by the Mayor October 9, 1922, of Gesner Corbett, to be a Weigher of Goods.

The question came on confirmation. Committee, Coun. Gilbody and Walsh. Whole number of ballots 6, yeas 6, and the appointment was confirmed.

LOAN OF \$250,000 FOR FUEL SUPPLIES.

Under unfinished business, President BRICKLEY called up the following:

2. Ordered, That under authority of sections 19 and 20 of chapter 40 of the General Laws the sum of two hundred and fifty thousand dollars (\$250,000) be and the same is hereby appropriated for fuel supplies, etc., and that to meet said appropriation the City Treasurer be hereby authorized to issue, from time to time, on request of the Mayor, bonds or certificates of indebtedness of the City of Boston to said amount, the same to be issued outside the limit of indebtedness.

Further ordered, That the income received from the sale of fuel supplies be credited to the appropriation.

On October 2, 1922, the foregoing order was read once and passed, yeas 8, nays 0.

The order was given its second and final reading and passed, yeas 7, nays 0.

SALARY OF GEORGE J. McDONNELL.

A communication was received from the Justices of the Municipal Court determining the salary of George J. McDonnell, probation officer, at \$2,600 per annum.

Referred to the Executive Committee.

BOND OF INDEMNITY FROM C. W. DOLLOFF & CO.

Notice was received from the Metropolitan District Commission that a bond of indemnity to the City of Boston had been made by C. W. Dolloff & Co., who have made a contract with the Metropolitan District Commission for repairing sidetracks at Chestnut Hill Reservoir.

Placed on file.

RECESS TAKEN.

On motion of Coun. FORD, the Council voted at 2.42 p. m. to take a recess, subject to the call of the Chair.

The Council reassembled in the Council Chamber and was called to order by President BRICKLEY at 4.42 p. m.

SALARY OF PROBATION CHIEF SARGENT INCREASED.

The Committee on County Accounts to which was referred (February 13) communication from chief justice determining salary of chief probation officer, recommended passage of following order:

Ordered, that the salary of the chief probation officer of the Municipal Court, Albert J. Sargent, determined by the justices of said

court at five thousand dollars per annum to date from February 1, 1922, be and the same hereby is approved.

Passed, yeas 7, nays 0.

Coun. WATSON—Mr. President, I was absorbed in conversation when the matter of increasing Mr. Sargent's pay was acted upon, and I now ask the gentlemen of the Council to reconsider the action taken, in order that I may state the situation as a matter of record.

The vote taken on the order was reconsidered, and the question came on the passage of the order.

Coun. WATSON—Mr. President, I simply wish the members to understand that when the vote was taken I was in conversation with Coun. Ford and Mr. Cashman, so that I did not notice when the action increasing the salary of Mr. Sargent to \$5,000 was taken. I now want to say something in regard to that matter, for purposes of the record. I will take about ten minutes of the Council's time to explain my position in regard to probation officers in Suffolk County. I have no feeling against the probation officers as such, because I number among them many personal friends. I have no opposition to the probation scheme when it is lived up to in a proper manner. I am, however, interested from the standpoint of taxation as much as anything. The Mayor and the City Council, including myself, are being continually baited because of the ever-increasing taxation placed upon the shoulders of the taxpayers of Boston. The blame is continually being placed on our shoulders, and when we are candidates for office the Good Government Association and the newspapers call for our defeat unless we are indorsed by the Good Government Association, on the ground that we are not careful with the money. Today we had an audience with the Mayor, wherein he showed conclusively that the taxpayers of Boston have been robbed, to use a very strong word, of thousands and thousands of dollars of their money, because of the failure to get interest on money that they should have got on unpaid bills, or money the treasurer did not receive because of actual failure of payment of certain bills due the city. There has been a loss of hundreds of thousands of dollars in such ways. Now, we are held responsible for the finances of the city. We are the appropriating body. Nevertheless, we are often and generally confronted with this spectacle of acts being passed by the Legislature increasing the pay or the number of probation officers, acts which now go through without our consent, the right to pass favorably or unfavorably upon such matters, which increase the taxes of the City of Boston, being taken away from us. We have before us today an order calling for the increase of \$500 in the salary of the chief probation officer of the Municipal Court. It is true, under the statutes, drawn by Republican Legislatures, that we are compelled to pay this money whether we vote it or not, upon the mere order of the chief justice of the Municipal or Superior Court of Suffolk County. But the mere fact that we must pay it is no reason why we should vote to pay it. It is true that if we vote "no" the man will get the money just the same, but we will at least go on record as protesting against the increase in the taxes of the City of Boston. The probation system of Boston, of Suffolk County, of Massachusetts, has become a great big gigantic pilfering process. The probation officers in every county in the state of Massachusetts are falling over themselves. When they first go to work as probation officers they have a heart for the unfortunates, but when they have been there for five years their hearts get as hard as flint, and a genuine case for sympathy but without political influence behind it, gets no attention at the hands of probation officers of Suffolk County, municipal or superior. I might cite as an example a case called to my attention when we visited Charles Street Jail, when I spoke to several prisoners. One of them, a Hebrew, told me that he was serving time for stealing a handkerchief. He was the father of eight children, and his wife at

home was about to be operated upon for appendicitis. He wanted to get out in order to be able to earn money to look out for the children. I became interested in the matter and I followed it up very carefully. I called it to the attention of Mr. Johnson, of the Penal Institutions Department, and he took it up with Probation Officer Driscoll, who made a favorable report in the matter, but Mr. Sargent turned it down. Mr. Driscoll got a letter back from him stating that the request was denied, for reasons. I saw the letter from Mr. Sargent, denying the parole, giving as an explanation that the man had not suffered enough and that he should not have parole, in spite of the fact that there were these eight children and that his wife was about to be operated upon. Mr. Bromberg, the probation officer, was unable to get the man released even for a holiday observed by the Jews. That was refused even to Mr. Bromberg. I have talked with Mr. Sargent about the matter, and he told me no, that he wouldn't do it. I knew he wouldn't do it, because I was opposed to an increase of his salary. We have heard much here today, which was brought out not as a matter of record but in talk here, concerning Mr. Sargent, and let me now get something on the record concerning him. First of all, I supported Coun. Moriarty before the committee on the budget, in the budget hearings, when it was shown that Mr. Sargent was a mattress voter, that he lived in Acton, or out near Concord, although he was rated here as a voter. He was positively a mattress voter, as much as any man so registered in Ward 8.

Coun. LANE—Ward 5.

Coun. WATSON—Yes, and Ward 5, too. I will say one thing for the mattress voters of Ward 5, that they do live and pay taxes in Boston. They may live in another ward than the one in which they vote, which is wrong, of course, but it is certainly doubly wrong when a man does not even live in Boston. I supported Coun. Moriarty in his position, thinking he was correct at the time, and he certainly deserves credit for the position he has taken in regard to Mr. Sargent. What is the story about Mr. Sargent, Mr. President? He gets \$4,500 a year—a mere bagatelle!—and already this year he has had three months' vacation without loss of pay, with the approval of the judges. One quarter of his \$4,500, about \$1,200 of the taxpayers' money, has been paid to Sargent with the approval of Judge Bolster, knowing that he has not earned it and was not entitled to it. If a man in city service on small pay, a laborer, was sick two days, that would be deducted from his envelope and there would be no redress. But this man comes in here for \$500 more increase, with the approval of Judge Bolster, and he is now away on a month's vacation, which will make three months in all; and when he gets back, as has been brought to my attention today, he will have a conference of probation officers from all over the Commonwealth, the invitation reading, "Come; your expenses will be borne by the County of Suffolk." That is another thing that they put over on us—a joy ride and a good time for the probation officers, and the taxpayers of Boston pay the bills. Gentlemen, do you approve of that sort of thing? You are going to vote today to give him \$500 increase. You are wasting \$500 of the taxpayers' money, and from the standpoint of principle the argument is just the same when you waste \$500 as when you waste a million. You have no more right to deliberately put \$500 more on the people's shoulders than you would have to put on a million more. It is true that we have no power to stop the increase, but let us at least register our protest today by voting "no." I was surprised when I saw that mine was the only "no" vote today on this matter in Executive Committee. Why, by inference, at least, one other member intended to vote the same as I did on this proposition. He said so loudly, but then when the vote was taken he voted the other way. You all know who the member was. He spoke very loudly. But you cannot fool the

people all the time, cannot kid them all the time. You are either with them or against them, and if you are not with them they won't stand for you any longer than they can help, as has been proven in recent contests in county, state and local elections. Mr. Sargent has a wife and no children. He is worth \$100,000, I am told. If you look up his assessed valuation, where he pays his taxes, in the town of Acton, I believe, near Concord, you will find that between him and his wife they pay taxes on \$100,000; and yet he had the audacity the other day to tell me that he was not a mattress voter, he said, because he had visited the Election Commissioners and found that he had a perfect right to vote in Boston, although his real home was in Acton. Now, I have had my say. I presume that there will be but one vote against this matter. I had hoped that there would be more, and there may be more. You may say that \$500 is not much. Well, \$500 will go a good ways towards paying \$1,000 for a necessary employee of the City of Boston, and there are times when we would like to have it when we find that we have not got it. And when it comes to approval of these matters by judges, let us remember that judges are only ordinary men, after all, gentlemen. These judges are not divine. They are made of flesh and blood, like you and I, and they secure their job because of political influence to a great extent, as was proven on the stump by Mr. Allen, who ran against Cox for Governor, or was at least suggested by him. Of course, appointments of that sort are made as political rewards. What is the use of dodging facts? I know that you don't like my long speeches, and I don't blame you. But somebody has got to wake you up. I am surprised that Coun. Hagan has not gone. He is the only man in the chamber who has his hat on. I wouldn't wear my hat in here if you were speaking. Now, why don't you be a gentleman? He says, "Go to hell!" Well, that is in the record. Well, he has taken his hat off; he obeys my instructions. We are good friends, you know. Now, I have had my say, and I have been absolutely cool and collected about it. We can simply register our protest against placing this \$500 extra burden on the taxpayers, and this matter of taxation is one of the important subjects of discussion in campaign. If you believe in increasing the taxes by \$500 in this case, doing a favor for this man, you will vote a million to do favors for others, and the 785,000 people who pay taxes in the City of Boston will have to pay the bills. I don't think any man is justified in voting "yes" today on this proposition, in my opinion.

The report was accepted and the order was passed, yeas 7, nays 1.

Yeas—Coun. Brickley, Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty—7.

Nays—Coun. Watson—1.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following:

1. Report on the communication from the justices of Municipal Court (referred today) relative to the appointment of a probation officer—recommending the passage of the accompanying order:

Ordered, that the salary of George J. McDonnell, probation officer of the Municipal Court, determined by the justices of said Municipal Court at \$2,600 per annum, to take effect October 6, 1922, be and the same hereby is approved.

Report accepted; said order passed.

2. Report on message from the Mayor and order (referred today) authorizing the City Auditor to transfer under authority of chapter 261 of the Acts of 1893, \$780 from the Reserve Fund to the appropriation for Election Department A-2, Temporary Employees, 52 (104) at \$5 per day.

Report accepted; said order passed, yeas 8, nays 0.

3. Report on message from the Mayor and order (referred today) for transfer from Reserve Fund of \$3,000 to the appropriation for Supreme Judicial Court, for Fees, Service of Venires, etc., that the same ought to pass.

Report accepted; said order passed, yeas 8, nays 0.

4. Report on message from the Mayor and accompanying orders (referred today) for transfers within department appropriations to Health Department, Boston Sanatorium, Assessing Department and Public Works Department—that the same ought to pass.

Report accepted; said orders passed, yeas 8, nays 0.

ROSE GARDEN, ETC., FRANKLIN PARK.

Coun. HAGAN, for the Committee on Parkman Fund, submitted a report on the message of the Mayor and order (referred today) appropriating from the income of the Parkman Fund, to be expended under direction of the Parkman Commission for Franklin Park Building, Improvements, etc. (\$25,000 for construction of a rose garden and \$3,000 for extension of golf links), that same ought to pass.

Report accepted; said order passed, yeas 8, nays 0.

GENERAL RECONSIDERATION.

On motion of Coun. Moriarty, the Council refused reconsideration of all action taken today.

Adjourned at 5.02 p. m., on motion of Coun. Donoghue, to meet on Monday, October 23, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Boston, October 23, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY presiding, and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear November 8, 1922:

William A. Lammers, Ward 1; Anthony Campiglia, Ward 2; George E. Kinnear, Ward 2; John H. Riley, Ward 3; Anthony Casale, Ward 5; Thomas F. Reilly, Ward 5; Tomaso Sacco, Ward 5; Peter Ducie, Jr., Ward 6; Frank A. Staniels, Ward 6; Albert G. Thompson, Ward 6; James Edward Dawson, Ward 7; John E. Fenton, Ward 8; Stuart Parker, Ward 8; Charles Smith, Ward 8; Samuel D. Warren, Ward 8; Richard Maloney, Ward 9; William J. Orchard, Ward 9; Joseph J. McGowan, Ward 10; John P. Drake, Ward 11; Michael S. Drew, Ward 12; Frederick H. Townsend, Ward 12; Frank Folsom, Ward 13; Frank L. Barry, Ward 15; Joseph A. Delaney, Ward 15; Herbert R. Boutwell, Ward 16; David L. Martin, Ward 17; Edward H. Walter, Ward 17; Henry L. Williams, Ward 17; Leo F. Galvin, Ward 18; Samuel Craft, Ward 19; Jacob Linsky, Ward 19; Charles Shaper, Ward 19; Benjamin F. Strand, Jr., Ward 19; William R. Lapham, Ward 20; George H. Witt, Ward 21; Herman J. Maier, Ward 22; Charles W. Upham, Ward 23; David Feinburg, Ward 25; John C. Murdock, Ward 25; Frank T. Finnerty, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear November 8, 1922:

Charles W. Gardner, Ward 1; George J. Park, Ward 1; George Pentleton, Ward 1; Frank Romano, Ward 2; Hugo D. Lips, Ward 4; Willard C. Osgood, Ward 4; Frank I. Barry, Ward 5; Hyman Stahl, Ward 5; Benjamin F. Roope, Ward 6; John J. Dooling, Ward 7; Hugh Hambro, Ward 7; Hubert McGourty, Ward 8; James J. O'Keef, Ward 10; John D. Blondon, Ward 11; Louis A. Piotti, Ward 11; Charles J. Tobin, Ward 11; Richard A. Brennan, Ward 12; Joseph M. Fitts, Ward 12; Albert E. Sexton, Ward 12; Robert E. Townsend, Ward 14; Louis I. Herwitz, Ward 15; Samuel W. Boyden, Ward 16; Harry Gorden, Ward 16; Abraham Falk, Ward 18; George E. Murch, Ward 18; David P. Davis, Ward 19; George F. A. McDougall, Ward 19; Henry G. Chandler, Ward 20; Cornelius T. Donovan, Ward 20; Lewis T. Frye, Ward 20; William F. Howell, Ward 20; J. Arthur McCoy, Ward 20; John D. Carter, Ward 21; John Kleuber, Ward 21; Patrick J. Forrester, Ward 22; Henry J. Keane, Ward 22; Peter J. Manning, Ward 24; Fred W. Hartford, Ward 25; Raymond O. Leadbetter, Ward 25; Eugene E. O'Donnel, Ward 25.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear November 8, 1922:

William M. Brown, Ward 1; Dennis Buckley, Ward 2; Edward J. Butler, Ward 2; Benjamin S. Canner, Ward 2; John J. Waters, Ward 3; George J. Kuntz, Ward 6; Fitzgerald Roberts, Ward 7; Clarence G. Croll, Ward 8; Herbert M. Roberts, Ward 8; Michael Nee, Ward 9; William F. Nolan,

Ward 9; C. Jacob VanDenBuis, Ward 10; Edward J. Gilligan, Ward 13; Thomas Hughes, Ward 14; John V. Freeman, Ward 17; George L. Kelley, Ward 17; Clarence A. Simons, Ward 17; Harry Brown, Ward 18; Philip R. Loring, Ward 18; Bernard E. Morgan, Ward 18; Jacob Bennett, Ward 19; Jacob Levatinsky, Ward 19; Edwin H. Wright, Ward 19; John A. Driscoll, Ward 20; David F. Manning, Ward 20; Semple Garvin, Ward 20; Leroy S. Barker, Ward 21; Thomas W. Brennan, Ward 21; Harry J. Schofield, Ward 21; William Swait, Ward 21; Charles A. Fennessy, Ward 22; Herbert E. Clark, Ward 23; Richard A. Carnes, Ward 24; John J. Mullaney, Jr., Ward 24; James E. Dolliver, Ward 25; Daniel M. Guiney, Ward 25; Bruce M. Nichols, Ward 25; Alvin J. Shartle, Ward 25; Charles G. Delong, Ward 26; Edwin B. Stone, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, First Session, to appear November 13, 1922:

Arthur A. Leman, Ward 1; George S. Webster, Ward 1; Alexander Ellis, Ward 2; James C. Milliken, Ward 5; Nathan Pinstein, Ward 5; Andrew Cunningham, Ward 6; Charles P. Haley, Ward 7; Archibald A. MacLellan, Ward 7; Patrick Carr, Ward 8; Howard L. Shurtleff, Ward 8; Albert C. Stearns, Ward 9; William A. Billings, Ward 11; Joseph V. Kiley, Ward 11; John McCarthy, Ward 11; Patrick McMahon, Ward 12; James Norton, Ward 13; Edward J. Farrell, Jr., Ward 14; Stephen Prunty, Ward 14; Michael Ward, Ward 14; Jacob Burger, Ward 15; William J. Flanagan, Ward 16; William F. Price, Ward 16; Joseph Winetsky, Ward 16; John J. McCabe, Ward 17; Lewis H. Hambro, Ward 18; William F. Kuhn, Ward 18; Harry L. Mason, Ward 19; Trygve Miller, Ward 19; George R. Cavanagh, Ward 20; Bernard Gilrain, Ward 20; Arthur B. Cohen, Ward 21; Theodor P. Stern, Ward 21; Adolph F. C. Maertone, Ward 22; Patrick Conneeley, Ward 23; Frederick W. Faller, Ward 23; Obed Silver, Ward 23; Edward H. Dockray, Ward 24; Evan G. Goodale, Ward 24; John E. Rahall, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Second Session, to appear November 13, 1922:

William A. Flynn, Ward 1; William H. Fogarty, Jr., Ward 1; Thomas Boyd, Ward 2; Joseph Caliri, Ward 2; William B. Nugent, Ward 2; James H. Coffey, Ward 3; William H. Jordan, Ward 3; James E. McDonald, Ward 3; Frederick Labagnaro, Ward 5; William Wax, Ward 5; David R. Sigourney, Ward 8; James J. Miller, Ward 9; John E. Barry, Ward 10; Ludwig Krause, Ward 11; Peter L. Kuhn, Ward 11; John J. Lambert, Ward 12; Robert Middleton, Ward 12; Joseph M. Kelley, Ward 13; Jeremiah J. Reardon, Ward 14; James Brennan, Ward 15; Henry J. Manley, Ward 15; Myer Fine, Ward 16; Israel Shuman, Ward 16; Abraham Block, Ward 17; Michael Crehan, Ward 17; Albert T. Forest, Ward 17; Asa G. W. Neal, Ward 17; Burnett Whidden, Ward 17; Alexander Aronson, Ward 21; Harry I. George, Ward 21; Paul J. Gulesian, Ward 21; Albert Perry, Ward 21; Patrick J. Buckley, Ward 22; Charles A. Calander, Ward 22; David R. Gillies, Ward 23; Delphy O. Isaacs, Ward 24; Samuel E. Nelson, Ward 24; Byron E. Daley, Ward 25; Frank Deary, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Third Session, October Sitting, to appear November 13, 1922:

Peter Merchaud, Ward 1; William F. Fenelon, Ward 2; Walter C. Gooby, Ward 2; Hugh Warnock, Ward 2; John J. White, Ward 2; Harry E. Perkins, Ward 3; Charles Deering, Jr., Ward 4; John Reardon, Ward 4; William M. Munroe, Ward 5; Alias M. Scott, Ward 5; Charles N. Cummings, Ward 5; Philip S. Goodnow, Ward 8; Charles S. Walton, Ward 8; Peter F. Gilmore, Ward 9; Bernard J. McDermott, Ward 10; Herbert J. Phillips, Ward 11; Daniel J. Warren, Ward 11; William F.

Barry, Ward 12; Arthur W. Smith, Ward 13; John J. Bagwell, Ward 14; Charles J. Rowley, Ward 14; Wolf Ames, Ward 16; Edward T. O'Connor, Ward 17; Edwin L. Potter, Ward 17; Elias Feinbaum, Ward 18; Simon H. Selbert, Ward 18; Oscar Wasserman, Ward 18; Frank A. Pickering, Ward 19; Alexander Pollack, Ward 19; Edgar Sears, Ward 19; David Shikes, Ward 19; Horace J. Craig, Ward 20; George Denmark, Ward 20; Walter O. Hansen, Ward 20; Harold L. Karle, Ward 21; Harry A. Young, Ward 21; Frank W. Buttrick, Ward 26; Leo F. Roche, Ward 26; William V. Rooney, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Fourth Session, October Sitting, to appear November 13, 1922:

George Edwards, Ward 1; Leonard J. Wilson, Ward 2; Morris Dorn, Ward 5; George W. Dougher, Ward 5; Charles F. Southworth, Ward 5; Karl L. Maxwell, Ward 8; Dennis J. Hickey, Ward 10; Michael A. O'Donnell, Ward 10; Arthur J. McEachern, Ward 11; Thomas E. Mitchell, Ward 11; Francis J. Judge, Ward 13; Winford L. Keay, Ward 13; Patrick Keefe, Ward 13; Michael J. Harney, Ward 14; Thomas McManus, Ward 14; Thomas J. Delaney, Ward 15; Samuel Washington, Ward 15; John F. O'Donnell, Ward 17; Abraham H. Goldstein, Ward 18; David Bloom, Ward 19; Nathan Davis, Ward 19; Moses Goldman, Ward 19; Morris L. Hootstein, Ward 19; Wilbur C. Jordan, Jr., Ward 19; Frank L. Baker, Ward 20; John W. Hogan, Ward 20; Henry A. Butterfield, Ward 21; George O. Olsen, Ward 21; Edward J. Ccan, Ward 22; Thomas D. Sullivan, Ward 22; Patrick Sullivan, Ward 22; Timothy Doyle, Ward 22; Frederick J. Fowler, Ward 23; Alfred D. Norley, Ward 23; Leander Payson, Ward 23; Mark H. Berry, Ward 24; Charles W. Hudson, Ward 24; Ellsworth D. Skinner, Ward 25; Arthur H. Viewey, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Fifth Session, October Sitting, to appear November 13, 1922:

Joseph A. Daley, Ward 1; Harry Goldberg, Ward 1; Manuel S. Mitchell, Ward 1; Albert F. Winslow, Ward 1; Robert M. Dean, Ward 4; Herbert L. Kelly, Ward 5; Frederick L. Laity, Ward 6; Weldon J. Murray, Ward 7; Herbert E. Patrick, Ward 7; Edwin G. Andrews, Ward 8; Channing C. Simmons, Ward 8; Dominick C. Clancy, Ward 9; Francis J. Hasselbrack, Ward 10; Edward E. Aldrich, Ward 11; George P. Duffy, Ward 11; John F. Slattery, Ward 11; George W. Arlington, Ward 13; Patrick J. Fay, Ward 14; Robert J. Culbert, Ward 16; Francis W. Kelly, Ward 16; Abraham Michaelson, Ward 16; Henry E. Pendleton, Ward 16; Herbert R. Ryder, Ward 16; Mark H. Simonds, Ward 17; William B. Quiney, Ward 19; Charles F. Anderson, Ward 20; Frank G. Lynn, Ward 20; Vincent P. Musto, Ward 20; Herbert R. Fottler, Ward 21; William J. Breslin, Ward 22; Paul F. Folsom, Ward 22; Henry J. Jenkins, Ward 22; Jeremiah A. Kelleher, Ward 22; Clinton P. Durycia, Ward 23; William A. Abercrombie, Ward 25; Samuel Bischoff, Ward 25; Nathaniel N. Brooks, Ward 25; Charles L. Lawrence, Ward 25; Isaac Lazarus, Ward 25.

Thirty-nine traverse jurors, Superior Civil Court, Sixth Session, October Sitting, to appear November 13, 1922:

Howard W. Sholds, Ward 1; Thomas M. Hughes, Ward 2; Harry A. Titus, Ward 7; William C. Wall, Ward 10; Charles J. Fox, Ward 12; Henry R. Page, Ward 13; John P. Wise, Ward 13; John J. Donovan, Ward 14; James J. Fahey, Ward 14; James C. Wagner, Ward 14; Charles Jolles, Ward 15; Owen J. Murray, Ward 15; Benjamin I. Alfred, Ward 16; Israel Harris, Ward 16; William G. White, Ward 16; Francis S. Lane, Ward 17; Louis Daniel Richmond, Ward 17; John F. Adams, Ward 18; Jeremiah F. Calden, Ward 18; Charles J. C. Wiemen, Ward 18; Edward P. Forbes, Ward 19; Charles H. Hurwitch, Ward 19; Leroy Arringdale, Ward 20; George A. McGilversy, Ward 20; William Orenberger, Ward 20;

Herbert W. Thorndike, Ward 20; Oscar A. MacQuarrie, Ward 21; John R. Muir, Ward 21; Roderick J. Peters, Ward 21; Stanislaw Plecowicz, Ward 21; Henry Shaw, Ward 21; Julius Singer, Ward 21; Samuel Zaks, Ward 21; Patrick J. Buckley, Ward 22; Edward Thomas Goldsmith, Ward 22; Mathias B. Bryant, Ward 23; Robert Plattner, Ward 23; Silas S. Westcott, Ward 23; Ernest T. Forbes, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Seventh Session, October Sitting, to appear November 13, 1922:

Francis R. DoPorto, Ward 1; John Dorgan, Ward 2; Patrick Doyle, Ward 2; Cornelius O'Rourke, Ward 2; Cosimo Volta, Ward 2; Frederick L. Devereaux, Ward 3; William J. Manning, Ward 3; George H. Ripley, Ward 3; Zaz Freedman, Ward 5; Fred Guinasso, Ward 5; John J. Connelly, Ward 6; Joshua W. A. Crawford, Ward 7; Allen B. Farmer, Ward 8; George H. Flint, Ward 8; Patrick Lydon, Ward 8; Christopher J. O'Brien, Ward 8; James J. Dunlap, Ward 9; Francis N. Whitmore, Ward 10; Henry J. Brown, Ward 11; Patrick H. Connolly, Ward 11; Oscar M. Tibbs, Ward 12; Frank A. Harrington, Ward 13; Hugh F. McMullen, Ward 14; Green H. Walker, Ward 14; John Dame, Ward 15; William A. Lynch, Ward 15; William H. Goodhue, Ward 16; Albert L. Ryder, Ward 18; Patrick Jordan, Ward 19; Maurice Robinson, Ward 20; William H. Burrell, Ward 21; Charles Graumann, Ward 22; Theodore W. Cellarius, Ward 23; Joseph D. Vogel, Ward 23; Emile Young, Ward 23; Michael Downey, Ward 24; Calvin C. Brackett, Ward 25; William E. Gallagher, Ward 26; Joseph B. Krauser, Ward 26.

FOREST HILLS COURTHOUSE.

The following was received:

City of Boston.

Office of the Mayor, October 21, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication from the Superintendent of Public Buildings relative to the work on the new Forest Hills Courthouse, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Buildings Department,
October 18, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—The contractors for the erection and completion of the new Forest Hills Courthouse, in excavating for the grading of the grounds around said building, have discovered considerable rock formation which will necessitate blasting. No provision for this was made in the contract and inasmuch as the appropriation for this work is practically exhausted, it will be essential to provide money for doing this work.

There is an appropriation in the sum of \$30,000 for a site for this building and I am informed that this will be more than sufficient to provide said site and that there will be quite a balance remaining.

I therefore respectfully request that a transfer from the appropriation, Courthouse, Forest Hills Site, in the sum of \$5,000, be made to the appropriation, Courthouse, Forest Hills.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Courthouse, Forest Hills Site, \$5,000, to the appropriation for Courthouse, Forest Hills, \$5,000.

Referred to the Executive Committee.

BOSTON CONSERVATION BUREAU.

The following was received:

City of Boston,

Office of the Mayor, October 19, 1922.

To the City Council:

Gentlemen,—The Boston Conservation Bureau, established by city ordinance September 18, 1922, is desirous of maintaining its program of indoor meetings in municipal buildings and public halls for the promotion of its safety, health and welfare campaign, and that there may be no cessation of this most necessary work I recommend the adoption of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Ordered, That the sum of three thousand dollars (\$3,000) be and hereby is appropriated to be expended by the Boston Conservation Bureau, under the direction of the Mayor, in the prosecution of its duties, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

BOSTON RETIREMENT ACT.

The following was received:

City of Boston,

Office of the Mayor, October 20, 1922.

To the City Council:

Gentlemen,—In order to provide for the expenses necessary for the administration of the Boston Retirement Act for the remainder of the year, I respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That the expenses incurred for the remainder of the financial year 1922-23 by the Retirement Board appointed to carry out the provisions of chapter 521 of the Acts of 1922, be charged to the Reserve Fund.

Referred to the Executive Committee.

TRANSFER, DEPARTMENT OF WEIGHTS AND MEASURES.

The following was received:

City of Boston,

Office of the Mayor, October 21, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication received from the Sealer of Weights and Measures, requesting a transfer of \$1,600 from the Reserve Fund for the repair and care of automobiles, and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Weights and Measures Department,

October 18, 1922.

Hon. James M. Curley,

Mayor of Boston:

Sir,—Because of the poor condition of our Ford trucks, necessitating much more repair work than anticipated when the budget was in the making, we have at the present time a balance, on B-14, Motor vehicles, repairs and care, of \$178.80. Our other items are figured so close that it will be impossible to make a transfer from any other item to B-14. For the balance of the year we figure that we will need approximately \$1,600 for care and repairs of cars.

At the time the budget was figured we wrote the Mayor and Finance Commission in part as follows: "We have found that Ford cars for our work is a poor investment . . . the expense for repairing is surprisingly large after the first year." At the time we understood from the Finance Commission that they would recommend to the Budget Commissioner and Mayor the necessity of turning in Ford cars every two years or purchasing a more substantial car in the future.

We expected a revision of the budget on these recommendations but they were never taken up, with the result that we had six 1920 and one 1919 cars left in the service in very poor condition. The cars have been given a general overhauling but they are yet giving poor satisfaction and hampers the men in their departmental duties.

I therefore respectfully request that a transfer from the Reserve Fund be made to our appropriation B-14, in order to keep the eleven cars now in service in condition for the balance of the year.

Respectfully yours,

CHARLES E. WOOLLEY, Sealer.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$1,600, to the appropriation for Weights and Measures Department, B-14, Motor Vehicle Repairs and Care, \$1,600.

Referred to the Executive Committee.

TRANSFERS WITHIN APPROPRIATIONS.

The following was received:

City of Boston,

Office of the Mayor, October 21, 1922.

To the City Council:

Gentlemen,—I transmit herewith various requests for transfers within department appropriations and respectfully recommend the passage of the accompanying orders.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Building Department:

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$1,600 per year, \$400, to the appropriation for A-1, Permanent Employees, Plumbing Inspectors, 2 (3) at \$2,000 per year, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, House of Correction:

From the appropriation for A-1, Permanent Employees, Officers, 36 at \$900 to \$1,200 per year, \$1,100, to the appropriation for F-9, Care of Dependents, \$1,100.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Boston Almshouse and Hospital:

From the appropriation for A-1, Permanent Employees, Internes, 6 at \$600 per year, \$150, to the appropriation for F-11, Workingmen's Compensation, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Steamers "Monitor" and "George A. Hibbard."

From the appropriation for B-39, General Plant, \$200, to the appropriation for E-11, Marine, \$200.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the Appropriations for Printing Department:

From the appropriation for A-1, Permanent Employees, Operators, 15 at \$38.50 per week, \$1,500; Compositors, 6 at \$39.50 per week, \$1,100; Compositors, 21 at \$38.50 per week,

\$1,800; Apprentice, 1 at \$24 per week, \$17.50, to the appropriation for A-2, Temporary Employees, \$4,417.50.

From the appropriation for A-1, Permanent Employees, Apprentice, 1 at \$24 per week, \$932.50, to the appropriation for C-3, Electrical, \$150; D-16, General Plant, \$532.50; F-7, Pensions and Annuities, \$250.

From the appropriation for A-1, Permanent Employees, Apprentices, 4 at \$18 per week, \$1,000; Caster, 1 at \$38.50-\$40 per week, \$550, to the appropriation for B-10, Rent, Taxes and Water, \$1,550.

From the appropriation for A-1, Permanent Employees, Caster, 1 at \$38.50-\$40 per week, \$450, to the appropriation for B-8, Light and Power, \$425; D-13, Chemicals and Disinfectants, \$25.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department:

From the appropriation for Paving Service, A-1, Permanent Employees, Stenographer, 1 at \$1,900 per year, \$484.34, to the appropriation for Central Office, A-1, Permanent Employees, Clerks, 3 (4) at \$1,700 per year, \$484.34.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Fire Department:

From the appropriation for A-1, Permanent Employees, Privates, 933 at \$1,400 to \$1,800 per year, \$2,000, to the appropriation for A-1, Permanent Employees, Engineers, High Pressure, 3 at \$7 per day, \$2,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Board of Examiners:

From the appropriation for C-9, Office, \$21.97, to the appropriation for B-2, Postage, \$21.97.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Election Department:

From the appropriation for A-1, Permanent Employees, Chief Assistant Registrar, 1 at \$2,700 per year, \$801.72, to the appropriation for A-2, Temporary Employees, Assistant Registrars, at \$1,500 per year, \$801.72.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Park Department, Cemetery Division:

From the appropriation for B-39, General Plant, \$1,500, to the appropriation for A-3, Unassigned, \$475; B-13, Communication, \$25; C-4, Motor Vehicles, \$500; C-17, General Plant, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Park Department:

From the appropriation for E-1, Building, \$1,566.30, to the appropriation for B-1, Printing and Binding, \$356.50; B-3, Advertising and Posting, \$150; B-29, Stenographic, Copying and Indexing, \$5.80; B-35, Fees, Service of Venires, etc., \$3; B-42, Music, Concerts, etc., \$776; C-16, Wearing Apparel, \$175; E-9, Machinery, \$100.

From the appropriation for C-7, Furniture and Fittings, \$566.30; E-1, Building, \$433.70; E-12, Parks and Recreational, \$5,000; F-12, Mozart Street Playground, Fence, \$1,000, to the appropriation for B-39, General Plant, \$7,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be

and hereby is authorized to make the following transfers in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees, Physicians, 3 at \$38.89 per week, \$290, to the appropriation for A-1, Permanent Employees, Assistant Resident Physicians, (Thorndike Memorial Laboratory), 2 at \$9.72 per week, \$290.

From the appropriation for B-39, General Plant, \$7,800, to the appropriation for B-5, Cartage and Freight, \$350; C-7, Furniture and Fittings, \$3,000; C-13, Tools and Instruments, \$1,000; C-16, Wearing Apparel, \$3,000; D-4, Forage and Animal, \$200; F-7, Pensions and Annuities, \$250.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Sewer Service:

From the appropriations for E-13, General Plant, \$6,825, to the appropriation for B-2, Postage, \$50; B-6, Hire of Teams and Auto Trucks, \$125; B-18, Cleaning, \$2,000; C-4, Motor Vehicles, \$1,650; C-16, Wearing Apparel, \$300; E-5, Sewer, \$2,700.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Water Service:

From the appropriation for B-42, Repairing streets, etc., \$2,000; B-39, General Plant, \$1,500; B-1, Printing and Binding, \$100, to the appropriation for A-3, Unassigned, Overtime, \$3,500; B-3, Advertising and Posting, \$100.

Referred to the Executive Committee.

TRANSFER OF AVENUE LOUIS PASTEUR.

The following was received:

City of Boston,

Office of the Mayor, October 20, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works relative to the transfer of Avenue Louis Pasteur to the control and care of the Park Department, and respectfully recommend the passage of the accompanying ordinance.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Public Works Department,

October 20, 1922.

To the Honorable the Mayor:

I return herewith letter of Mr. James B. Shea, chairman of the Park Department, relative to the transfer to that department of Avenue Louis Pasteur in the Fenway.

This street is now practically given over to schools and colleges and it would be well to restrict traffic by making it a part of the park system. It is now in good condition.

I respectfully recommend that the transfer be made.

Yours respectfully,

J. A. ROURKE,

Commissioner of Public Works.

City of Boston,

Park Department, October 11, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer Avenue Louis Pasteur from the Public Works Department to the control and care of the Park Department, after the road surface has been placed in a proper condition.

The reason for this request is that it is evident that the public and semi-public buildings lining this avenue, and the fact that it is on the axis of the main drive of the Fens, and the central building of the Harvard

Medical School, would lead most people to believe that it was, or should be, a part of the park system.

Yours respectfully,
JAMES B. SHEA, Chairman.

City of Boston.

In the Year Nineteen Hundred and Twenty-two.
An Ordinance Concerning Avenue Louis Pasteur.

Be it ordained by the City Council of Boston, as follows:

Avenue Lou's Pasteur, from Longwood avenue to the Fenway, is hereby placed under the care, control and custody of the park commissioners, and all rules, regulations or ordinances, now in force or hereafter adopted, relating to parks or parkways shall apply to said avenue.

Referred to the Committee on Ordinances.

MAINTENANCE OF BRIDGES.

The following was received:

City of Boston,

Office of the Mayor, October 20, 1922.

To the City Council:

Gentlemen,—The Park Department is of the opinion that the maintenance of bridges at present under the control of that department could be more efficiently and economically administered by the Public Works Department. I transmit herewith communication received from the Commissioner of Public Works, and respectfully recommend the passage of the accompanying ordinance.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Park Department, October 14, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—By vote of the Board of Park Commissioners you are respectfully asked to request the City Council to transfer the following bridges from the control of the Park Department to the control of the Public Works Department:

Columbia Road, over Old Colony avenue and Plymouth Division of the New York, New Haven & Hartford Railroad.

Columbia Road, over Shoreham street.

Audubon Road, in Riverway, over Boston & Albany Railroad.

Charlesgate West, in Fens, over Boston & Albany Railroad.

Footbridge from Prescott street to Wood Island Park, over the tracks of the Boston, Revere Beach & Lynn Railroad.

The reason for this request is that the Public Works Department has a specially equipped division for bridge work, and has engineers and inspectors who thoroughly understand what is needed. The engineers of this department, while well equipped for ordinary park construction work, can hardly be classed as specialists on bridge work.

This is a matter which has been under consideration for a great many years, and for this reason I ask that you give it your attention.

Respectfully yours,

JAMES B. SHEA, Chairman.

City of Boston.

In the Year Nineteen Hundred and Twenty-two.
An Ordinance Concerning the Control of Certain Bridges.

Be it ordained by the City Council of Boston, as follows:

The following-named bridges are hereby transferred from the care, custody and control of the park commissioners to the care, custody and control of the commissioner of public works, viz.:

Columbia Road, over Old Colony avenue and Plymouth Division of the New York, New Haven & Hartford Railroad.

Columbia Road, over Shoreham street.

Audubon Road, in Riverway, over Boston & Albany Railroad.

Charlesgate West, in Fens, over Boston & Albany Railroad.

Footbridge from Prescott street to Wood Island park, over the tracks of the Boston, Revere Beach & Lynn Railroad.

Referred to the Committee on Ordinances.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mrs. Anna E. Abbott, for refund of \$2 over payment for lodging house license.

Lucius Barnet, for damage to motor car by team of Street Cleaning Service.

Alexander Beaton, for damage to automobile by police auto patrol.

Isabelle Coffey, for damages at 47A Creighton street by backing in of sewage.

William J. Cullinan, for injuries and damage to clothing caused by a hoe lying on sidewalk on Blue Hill avenue at Grove Hall car house.

Margaret Dacey, for injuries caused by tripping over a hose on sidewalk at 120 Washington Street North.

Jacob L. Green, to be paid for collapse of two boilers at 13 Willard street, due to shutting off of water.

F. A. Higgins, for pair of shoes torn on door in City Hall Annex.

Ralph R. Jacobs, for damage to automobile by police auto patrol.

Flora Leo, for hearing on claim on account of injuries received at Copps' Hill terrace.

John Y. Mainland, for refund of amount paid under protest for sewer assessment on land on Matchett street.

Anna E. Murray, for compensation for damages caused by bursting of water meter at 75 Arborway, Jamaica Plain.

William F. Myers, for injuries caused by a brick thrown by a city employee.

Julius E. Nolte, for damage to automobile by its being run into by auto of Supply Department.

Mrs. John Richardson, for damage to car by touring car of Fire Department.

Isaac B. Spinoza for injuries caused by defect in sidewalk at 63 Richmond street.

Josephine Stella, for injuries received on East Boston Ferry.

Frances Sternberg, for hearing on account of injuries received on Green street.

James K. Trephon, for damage to auto by police auto patrol.

Mahony Trucking Company, for refund of amount paid for water bills at 229 Milk street.

Mrs. B. Weinstock, for damage to property by shutting off water.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted pay roll in accordance with the provisions of law certifying that work had been performed from September 25 to October 23, 1922, to the amount of \$7,630.81.

Approved and ordered paid.

RELOCATION OF TRACKS.

Notice was received from the Boston Elevated Railway Company of relocation of track curve at corner of Harrison avenue and Kneeland street, 16th location.

Notice was received from the Boston Elevated Railway Company of relocation of tracks on Park street, Dorchester, 17th location.

Placed on file.

RAILROAD POLICE.

Notice was received from the Boston & Maine Railroad of the appointment of certain

persons as railroad police officers under date of October 4, 1922.

Placed on file.

APPROVAL OF CONSTABLE'S BOND.

Notice was received from the City Treasurer of approval of the constable's bond of Marcian Di Stasio.

Placed on file.

BOND OF INDEMNITY.

Notice was received from the Metropolitan District Commission of receipt of bond of indemnity from Youlden, Smith & Hopkins on account of work to be done at pumping stations, Chestnut Hill in Boston and Spot Pond in Stoneham.

Placed on file.

PETITION FOR APPROVAL OF ISSUE OF ADDITIONAL CAPITAL STOCK.

Notice was received from the Department of Public Utilities of a hearing on petition of Edison Electric Illuminating Company of Boston for approval of an issue of additional capital stock, said hearing to be held on Monday, October 30, at 10.30 a. m.

Placed on file.

INTEREST IN CONTRACTS.

Notice was received from Robert Dysart, Statistics Trustee, of his interest in a contract with the City of Boston.

Notice was received from Joseph P. Manning (Hospital Trustee) of his interest in a contract with the City of Boston.

Severally placed on file.

APPROVAL OF APPOINTMENT OF WILFRED J. DOYLE.

Certificate of approval by the Commissioners of Civil Service was received of appointment of Wilfred J. Doyle to the Retirement Board.

Placed on file.

PETITIONS FOR STORAGE OF GASOLINE.

Notice was received from the Street Laying-Out Department that hearings would be held as follows, on petitions for storage and sale of gasoline.

Israel P. Petkin, 215-225 Humboldt avenue, Ward 16, 1,000 gallons.

Colonial Filling Station, Inc., 1789 Centre street, Ward 23, 5,000 gallons.

Colonial Filling Station, Inc., 3 Neponset avenue, Ward 20, 5,000 gallons.

Fisher Realty Company, 1686 Commonwealth avenue, Ward 25, 2,000 gallons.

George A. Irwin, 46 Broadway, Ward 8, 1,000 gallons.

Lee A. Silver, 661 Massachusetts avenue, Ward 12, 1,000 gallons.

Referred to the Executive Committee.

REMOVAL OF CERTAIN BOOKS FROM SCHOOLS.

The following was received:

City of Boston,

School Committee, October 17, 1922.

Mr. W. J. Doyle,

Assistant City Clerk:

Dear Sir,—At the meeting of the School Committee held on Monday, October 16, 1922, a copy of an order passed by the City Council on October 9, 1922, requesting information as to whether certain specified

books are used in the public schools, was duly presented and placed on file.

At the same meeting the School Committee passed an order in reply thereto, a copy of which is inclosed herewith.

Very truly yours,

THORNTON D. APOLLONIO, Secretary.

Ordered, That in response to the order passed by the City Council on October 9, 1922, requesting information whether or not certain books named therein are in use in the public schools either as text books or reference books, the following statement is submitted:

"A History of the United States for Schools," by McLaughlin & Van Tyne, 1919. D. Appleton & Co.

"A History of the United States" by McLaughlin and Van Tyne, published by D. Appleton & Co., was authorized as a text book in Grades VII. and VIII. of the elementary schools, April 22, 1912, and was dropped from the list, no further copies to be purchased, June 14, 1917.

McLaughlin & Van Tyne's "History of the United States for Schools," by the same authors and published by the same publishers, was authorized for use as a text book in the elementary schools June 14, 1917; Volume I. in Grades VI. and VII.; Volume II. in Grade VIII. This book was dropped from the list, July 5, 1922.

"School History of the United States, Revised, 1920, by Albert Bushnell Hart. American Book Company.

Hart's "School History of the United States," published by the American Book Company, was authorized for supplementary use in Grades VII. and VIII. in day elementary schools, June 10, 1918.

"American History for Grammar Grades," by Everett Barnes, 1920. D. C. Heath & Co.

No book having this title is authorized for use in any of the public schools.

"Short American History by Grades," Parts I. and II., by Everett Barnes. D. C. Heath & Co.

No book having this title is authorized for use in any of the public schools.

"School History of the United States," by John P. O'Hara, 1919. MacMillan Company.

No book having this title is authorized for use in any of the public schools.

"Burke's Speech on Conciliation" edited by C. H. Ward, 1919. Scott, Foresman & Co.

"Burke's Speech on Conciliation with America" was authorized for use as a text book in the Latin and day high schools, June 18, 1907. Any edition approved by the Board of Superintendents is so authorized. It appears that forty (40) copies of the edition, edited by C. H. Ward, have been purchased.

"Our United States," by W. B. Guittean, 1919. Silver, Burdett & Co.

No book having this title is authorized for use in any of the public schools.

"American History" by D. S. Muzzey, 1920. Ginn & Co.

Muzzey's "American History," revised edition, was authorized for use as a supplementary book in high and Latin schools, May 5, 1913, and transferred to the text book list for Latin and day high schools, June 14, 1917, and its purchase was disapproved on account of increase in price on June 30, 1921, a revised edition being substituted July 5, 1922.

"Builders of Democracy," by Edwin Greenlaw, 1918. Scott, Foresman & Co.

No book having this title is authorized for use in any of the public schools.

"History of the American People," by Willis Mason West, 1918. Allyn & Bacon.

No book having this title is authorized for use in any of the public schools.

Passed.

A true copy.

Attest:

THORNTON D. APOLLONIO, Secretary.

Coun. WATSON offered an order—That the School Committee be requested to remove from use in the Public Schools the following books:

1. "School History of the United States." Revised 1920, by Albert Bushnell Hart, American Book Company.

2. "Burke's Speech on Conciliation," edited by C. H. Ward, 1919, Scott, Foresman & Co.

3. "American History," by D. S. Muzzey, 1920, Ginn & Co., and that they give a public hearing on the same.

Coun. WATSON—Mr. President, it is my purpose, as long as I am a member of this body, to continue to seek publicity against the false history in our public schools and libraries. The message from the School Committee is rather lengthy, and I presume that no member of the Council has read it, but I am going to take my stand on their answer as referred to on part of page 26 of the *Boston Post* of Tuesday morning, October 17, 1922, which says:

"Only three of the historical text books, concerning which information was recently asked by the Boston City Council, are now in use in the schools, according to a statement ordered by the Board last night to be sent to City Hall. Out of the list of ten which was submitted, the Council is told that 'Hart's School History of the United States,' by Albert Bushnell Hart, 'Burke's Speech on Conciliation with America,' and 'American History' by D. S. Muzzey, are now being studied by pupils of the Boston schools. In the case of Burke's conciliation speech information is supplied by the committee that it was authorized June 18, 1918, and that forty copies have been purchased. This is the edition by C. H. Ward. The School Board makes the statement that 'Professor Hart's book was authorized for supplementary use in Grades 7 and 8, in day elementary schools on June 10, 1918.'"

Albert Bushnell Hart is a professor of history in Harvard College who approved of our action on a book called "The Book of American Wars," his comment being published in the *Post* of three weeks ago last Sunday. He complimented us and said we were correct in the position we took on the "Book of American Wars." I had a talk with Mr. Belden, the librarian, and Mr. Belden informed me that he had talked with Prof. Albert Bushnell Hart, Professor of History at Harvard College, at the suggestion of the trustees of the Boston Public Library, to ascertain from him what his views were as to whether or not the books should be permitted to be issued by our Public Library. Mr. Belden told me that Prof. Albert Bushnell Hart said the books should be removed from the library, and then Mr. Belden, I was informed by Mr. Belden himself, said to Professor Hart, "Do you intend to recommend the removal from the Widener Library of Harvard?" He said, "Oh, no, oh, no!" In other words, he did not want to have our school children reading false history and Anglicized propaganda, but he did want the students of Harvard College, of a more mature age, to read blasphemous history, containing a vilification of our patriots of Revolutionary Days. D. S. Muzzey's "American History" is unfit for anyone to read, from the cover in the front to the cover at the rear. It is a positive vilification of the early patriots, and it does not confine its propaganda to the early days, but comes down through the War of 1812, the Civil War of 61-65, to the Spanish War and even down to the late great World War, and contains inaccuracies, falsehoods and prejudices all the way through. I have here extracts from it sent to me by somebody, but I have checked up and found that the analysis made by this individual is absolutely correct. I would like to read one thing in particular. Speaking of Van Buren, one of our early presidents, in section 333, on page 242, the author says:

"Van Buren was an aristocratic New Yorker, a rich widower, who, according to campaign orators, lived in solitary splendor at the White House, eating off golden plates and drinking costly wines from silver coolers."

That is quoted from Muzzey's school history, used in our public schools. Read the comment by the author of this pamphlet, who says:

"Van Buren was one of the great men of the middle period of American history. I strongly object to his characterization in this offensive language."

And it is so all the way through Muzzey's book. That book should be removed, and I publicly criticize the supervisors, who I understand are the censors of the history books in our schools, for permitting the book to be given to any of our school children, and publicly criticize Jeremiah Burke, Superintendent of the Public Schools of Boston, for not seeing to it that no such book is permitted in our schools. I know that I am hitting a lot of heads, but in order to make progress you sometimes have to even hit the heads of your friends. I am entirely willing to do so at any time, when the circumstances warrant it. That shows how jealous I am of my Americanism and how strongly I feel against this anti-American propaganda. Prof. Albert Bushnell Hart said in the *Sunday paper*, as a sort of softening of the vilification of our early patriots, that of course our early patriots had failings and faults. Of course, they did. They were only human. But who wants to go back nearly two hundred years, or about one hundred and fifty years, and rake up the dead past of men who might have had failings but who were responsible for our liberties and our institutions? Would we want anyone to go back into our early days? I am fifty-two years of age. My past is behind me, if I have one, and it is so with every other man. It is not what you were, but what you are. What right have these people got to bring before the public, before our children, the failings of our patriots, and exaggerate them? British propaganda! Oh, I might read extract after extract, but I will not burden the Council with them. What I am saying now will be spread on the pages of at least two of New York's leading newspapers, in all probability, every line. I have been invited to dictate my speech, or secure it from the stenographer, and send it to one New York paper, and it will probably also be handled by another New York paper. The *New York American* will print it, and the other paper will take the matter under advisement and probably print it, because I have letters of encouragement in regard to the matter. Let me read to this body a letter, Mr. President, to show the encouragement I am receiving from the great American forces of this country, not from cheap, small people, people who are propagandizing for their own benefit, but from men who are American to the core, men who fought in the late war and did it heroically. The President of this body knows many of the men whom I am referring to now. This letter is from the National Americanization Committee of the Veterans of Foreign Wars of the United States, headquarters 32 Union square, New York city. The letter is headed "Walter I. Joyce, Chairman," "Walter A. Johnson, Secretary," and the Executive Committee is made up of twelve men belonging to posts of veterans of recent foreign wars, and the advisory committee is made up of thirty more. Here is the letter:

"New York, October 20, 1922.
"Hon. James A. Watson, City Council, Boston, Mass.:

"Dear Mr. Watson,—Kindly permit me to express to you a word of admiration for the able and patriotic manner in which you are advocating true and loyal American history for use in the public schools and public libraries.

"I want to assure you that our National Americanization Committee, of which I have the honor to be chairman, and the entire body of the Veterans of Foreign Wars of the United States most enthusiastically support you in this patriotic effort.

"Our great organization in its recent National Convention at Seattle unanimously adopted ringing resolutions on this matter, from which I quote one paragraph:

"We demand that the treason texts be thrown out of the public schools of every

state, and that truthful histories be restored instead, and we pledge our unflagging efforts to this end."

Mr. President, indorsement by such people is an indorsement that I am proud of, one that I glory in. Laughs and sneers, cajolings, insults and other means of attempting to stop me in this work, will not retard me a particle, when I can call to mind the words in that letter concerning a resolution introduced in the convention of the Veterans of Foreign Wars, made up of men who did great and noble things in the late war. That is the only indorsement I desire, except the indorsement by the public of my attempt to rid our public schools and libraries in Boston of this vilifying and corrupting Anglicized propaganda. I will continue the letter:

"Our patriotic instructors throughout the country have been especially instructed to fully co-operate in such activities as yours; and you will soon find that every veteran of foreign wars in your community is with you.

"I also have privilege to speak as a foundation member of the Patriot League for the Preservation of American History, which is a new nation-wide organization, composed primarily of the officials of all patriotic organizations, for co-operative measures concerning text books. Accepted into active membership are all good Americans who are willing to become active for the purification of patriotic teachings in the public schools. It is with pleasure that I greet you as a comrade in the Patriot League for the Preservation of American History and assure you that I am proud to stand shoulder-to-shoulder with you in such good company and in so good a cause.

"Kindly let me know in what ways I can be of special assistance in your patriotic movement in Boston.

Yours in comradeship,

WALTER I. JOYCE,

Chairman, Veterans of Foreign Wars National Americanization Committee."

Mr. President, is there a man native born or citizen by adoption who can remain idle for a moment, knowing that this propaganda is sinking into the vitals of our institutions? You might think that this sort of thing is confined to men of Puritan birth alone, who might be a little Anglicized, but I am sorry to confess that I find, either because of lethargy, or some sleeping sickness, something of the sort, that men of Irish extraction are parties to this propaganda as well. You have to be on guard, fellow-members, you have to keep your ears and eyes open, because this vicious propaganda is filtering through much faster than it should into our great free country. I made no preparation for this speech. I had the order prepared, thinking I would introduce it and let it go at that; but when I got this lengthy report of four pages from the School Committee, which was given about ten lines in the *Post*. I thought it was about time that I made a speech on the matter in the hope that the press might at least print what was said by somebody concerning the propaganda. The press is alive, permeated with the propaganda. Some of the press of Boston is now under the influence of this Anglicized propaganda, and at a later date I will present my information and evidence that will be interesting. But I do not propose to use all my shot on one duck. There is a raft of evidence in regard to this thing. It is coming to me in every mail, to my home and here. It is even coming from the city of Chicago. As the result of a visit here recently by an alderman from Chicago, there is now a movement there to remove from the Public Library the very books we are talking of today plus a few more that are not in our library. Now, Mr. President, the order speaks for itself. I wrote a letter to the members of the School Committee asking for an individual hearing on this question and sent a copy to the press, but they must have put it in between the leaves of the first and second pages! If somebody's else name was signed, undoubtedly it would have been used. There is no question about that at all. But, my heavens, why cannot the

press, the reporters and the editors, rise to the occasion and forget the disagreeable Jerry Watson, and join in fighting with me for this cause? Why can't they forget me and line up with me for the sake of the principle I am fighting for, even if they don't like me? Even if they don't like my tongue, don't like my ways, why can't they be American in action as well as in name in a matter of this kind? I have no feeling against them. They don't like me, and perhaps I might have the same feeling for many of them if I gave way to it, but I rise to an occasion once in awhile, forgetting my differences with others, because of the conditions I am trying to bring about, which are more important than any of us. I don't know whether or not any member of this body desires to have this matter referred to the Executive Committee. If they do, I am perfectly willing to have it go there for consideration by them; but if they have no such desire, I shall ask a suspension of the rule, in order that the order may go upon its passage at this time.

The order was passed under suspension of the rule.

ELECTION RETURNS.

President BRICKLEY offered an order—That the City Messenger be directed to make arrangements for receiving election returns on the days of the coming state and city elections, and that the Council Chamber be opened on the evenings of said days for the announcement of the returns; the expense attending the same to be charged to the appropriation for City Council, G-3, Election Returns.

Passed.

SIDEWALK CONSTRUCTION.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along Bullard street, in front of the estates numbered 31, 33 and 35, Ward 19, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 196 of the Special Acts of 1917.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along the northerly side of Perkins street, from Day street to Jamaica way, Ward 22, in front of the estates bordering thereon; said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Severally passed.

ACCEPTANCE OF BELGRADE TERRACE.

President BRICKLEY offered an order—That the Board of Street Commissioners be requested to accept and lay out as a public street Belgrade terrace, Ward 23.

Passed.

STATE ELECTION.

Coun. DONOGHUE offered the following:
Ordered: That meetings of the citizens of this city, qualified to vote for state officers be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the seventh day of November, 1922, for the election of Governor, Lieutenant-Governor, State Secretary, State Treasurer, State Auditor, Attorney-General, Senator in Congress, Representative in Congress, Councillors, Senators in the General Court, Representatives in the General Court, District Attorney, Clerk of the Supreme Judicial Court for the County of Suffolk, Clerk of the Superior Court for Civil Business, Clerk

of the Superior Court for Criminal Business, and Register of Deeds; also to give in their votes "Yes" or "No" in answer to the following questions:

Shall the following proposed amendment to the constitution be approved?

ARTICLE OF AMENDMENT.

Article XLVIII of the Amendments to the Constitution is hereby amended by striking out, in that part entitled "II. Emergency Measures," under the heading "The Referendum," the words "A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two thirds of the members of each House voting thereon, the law shall not be an emergency law; but" and substituting the following: A separate vote, which shall be recorded, shall be taken on the preamble, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law. Upon the request of two members of the Senate or of five members of the House of Representatives, the vote on the preamble in such branch shall be taken by call of the yeas and nays. But

Shall chapter 368, Acts of 1921, entitled "An Act providing for suits by and against certain voluntary associations," be approved?

Shall chapter 438, Acts of 1921, entitled "An Act relative to the examination and licensing of motion picture films to be publicly exhibited and displayed in this commonwealth," be approved?

Shall chapter 427, Acts of 1922, entitled "An Act to carry into effect, so far as the Commonwealth of Massachusetts is concerned, the Eighteenth Amendment to the Constitution of the United States," be approved?

Shall chapter 459, Acts of 1922, entitled "An Act providing that district attorneys shall be members of the bar," be approved?

Shall the representatives from this district be instructed to support the passage of an Act at the incoming term of the General Court ordering the School Committee of the City of Boston to make effective, during the current school year, the economic principle of "equal pay for equal service and no further discrimination because of sex" in the matter of teachers' salaries in the schools of Boston?

The polls at said meetings shall be opened at six o'clock a. m. and closed at four o'clock p. m.

Ordered, That the City Clerk be hereby directed to give notice of said meetings according to law.

Ordered, That the provisions of sections 55, 56 and 57 of chapter 54 of the General Laws be and hereby are suspended and made inapplicable as to the several questions to be voted upon at the State election to be held on November 7, 1922.

Passed.

APPOINTMENTS TO CONSERVATION BUREAU.

Notice was received from the Mayor of the appointment to the Boston Conservation Bureau of Mrs. Eva W. White, M. Douglas Flattery, Harry N. Guterman, John H. Johnson, Harry H. Kay, Mrs. Alice M. Maloney, John J. Moragan, Dr. Sarah E. Palmer, and Mrs. Franc's E. Slattery.

Certified copies of the above appointments were delivered to the Commissioners of Civil Service October 21, 1922.

Placed on file.

ELECTRIC LIGHTS IN UNION SQUARE, BRIGHTON.

Coun. WALSH offered an order—That the Commissioner of Public Works, through his Honor the Mayor, be requested to locate and maintain one or more electric lights of the boulevard type in Union square, Brighton.

Passed.

RECESS TAKEN.

President BRICKLEY declared a recess subject to the call of the Chair at 3.18 p. m.

The members of the Council reassembled in the Council Chamber at 5.17 p. m. and were called to order by the President.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following:

1. Reports on notice of hearings on petitions of Harvard Club of Boston, Charles E. Rego, Sarah Cohen, Edward Clifton, John J. Moore, for storage and sale of gasoline (severally referred September 25)—that the same be placed on file.

Reports accepted; said notices placed on file.

2. Reports on notice of hearings on petitions of John H. McDermott, trustee, Lionel D. Greene, Three Fields Garage (severally referred October 9), for storage and sale of gasoline—that same be placed on file.

Reports accepted; said notice placed on file.

3. Report on message of Mayor and various orders (referred today) transmitting requests for transfers within department appropriations—that same ought to pass.

Report accepted; said transfer orders severally passed, yeas 9, nays 0.

4. Report on message of Mayor and order (referred today) authorizing transfer of \$5,000 for Forest Hills Courthouse—recommending passage of said order.

Report accepted; said order passed, yeas 9, nays 0.

5. Report on message of Mayor and order (referred today) authorizing transfer of \$1,600 from Reserve Fund to appropriation for Weights and Measures Department—recommending passage of the order.

Report accepted; said order passed, yeas 9, nays 0.

6. Report on message of Mayor and order (referred today) that expenses incurred for remainder of financial year 1922-23 by Retirement Board be charged to Reserve Fund—recommending passage of the order.

Report accepted; said order passed, yeas 9, nays 0.

7. Report on message of Mayor and order (referred today) that \$3,000 be appropriated to be expended by Boston Conservation Bureau—recommending passage of the order.

Report accepted; said order passed, yeas 9, nays 0.

ORDINANCE COMMITTEE REPORTS.

Coun. HAGAN, for the Committee on Ordinances, submitted the following:

1. Report on message of the Mayor with ordinance relative to salary of secretary of Statistics Department (referred October 9)—that same ought to pass.

Report accepted; said order passed.

APPOINTMENT OF PAUL A. FREED AS CONSTABLE.

President BRICKLEY called up unfinished business, No. 1, viz.:

Action on appointment submitted by the Mayor October 16, 1922, of Paul A. Freed, to be a constable.

Committee, Councillors Gilbody and Walsh. Whole number of votes cast 9, yeas 8, nays 1, and the appointment was confirmed.

Coun. MORIARTY—Mr. President, I have seen a number of constables confirmed here of late, and have not seen one of them appear before the Council. I feel that something is being slipped over, and that, in order to properly carry on the work of the Council in this matter every constable whose name comes in here by way of appointment should appear before us in person. I would like to look some of these babies over. I voted

against this particular man. I don't know who he is, and don't care. I still think that any man who will take the job is not a real man. I do want to say this, that I am going to strenuously object in the future, more so than I have in the past, if these appointees do not appear here in person before the Executive Committee. I don't think the question of their confirmation should go on our calendar until they appear before the body.

Pres. BRICKLEY—The Chair would state that hereafter all constables will appear before the Council.

TRIBUTE TO THEODORE ROOSEVELT.

Coun. BRICKLEY offered an order—That his Honor the Mayor be requested to take such action as may be necessary to arrange for a silent tribute to the memory of Theodore Roosevelt on the sixty-second anniversary of his birth on October 27, 1922, on the part of the city departments and business houses, if possible.

Passed.

MOTION PICTURE CENSORSHIP.

Coun. WATSON offered the following:

Resolved, That the City Council is opposed to the passage of the referendum that will appear upon the ballot to be voted at the state election November 7, 1922, of the so-called "Motion Picture Censorship."

Coun. GILBODY moved that the matter lie over to the next meeting, but stated later that he labored under a misunderstanding, and withdrew the motion.

Coun. MORIARTY—Mr. President, I am going to make the same request, and if the councilor on the other side (Coun. Watson, who had asked Coun. Gilbody for his reasons for the motion to lay over) wants my reasons, I shall be glad to give them to him.

Coun. WATSON—Mr. President, I do not desire to know why the councilor wants to put it over, but I do say, if you don't want to vote in favor of it today, very well. I am perfectly willing that the matter should go over for a week, if that is desired.

Coun. MORIARTY—Mr. President, I will state my reasons. I am in favor of your order, but I do wish to refer to an incident that happened within the past week. I happened to go to one of the theaters to buy some tickets. I found quite a number of people waiting in line to buy tickets, and I could not spend the time, and started away. I found three or four speculators in the lobby of the theater. I could have been amply supplied with tickets if I desired to pay their price. I have looked up the act and I find that, in so far as the theaters in our city are concerned, we have absolutely no control over them. The Building Department has control over the theaters in so far as the construction of the buildings is concerned, dealing with the question of whether they are safe for citizens to go into, and the Fire Department has another control. Also the Police Commission, if there is anything obscene, have a right to step in and stop a play. I went to the Mayor and told him what I had found, and what I intended to do. Coming in late, I'd not have time to get the order prepared, but the next meeting I intend to introduce an order asking the Mayor to have the Law Department draw up legislation to be introduced into the next Legislature, embodying an amendment to the act so that wherever scalpers are found upon theater property selling tickets the theater shall lose its license to serve the citizens. I feel that we will not be acting fairly towards the citizens of our city if we do not try to protect them, and I am going to say here that I believe there is collusion between every ticket office in every theater in Boston and the scalpers.

Coun. WATSON—Not only the scalpers but the so-called legitimate ticket agents. So you can go farther.

Coun. MORIARTY—Well, I am not talking so much about the legitimate agents on the outside, but my position is this, that I am supposed to be able to go to a ticket office and, by paying \$2.50 get the best seat in the house. I could not get the seats I wanted at the office, but if I had wanted to pay \$3.50 I could have done so from two scalpers who were there selling tickets. I will refrain from using the name of the theater, because I don't think any one of the theaters is better than another. They are all the same. It is all according to the play they have. I have already had a talk with the Mayor, and he said that if I introduced the order he would give it very close attention. I don't know whether I am going to be able to accomplish anything or not. If we cannot do anything with the theaters in this other matter, I don't know that the movement I am connected with would be in favor of your order. They are out today talking for your order, but if the theaters are not willing to do something for the people, I believe in taking a crack at the theaters, and if we have to take a crack at them by passing the censorship bill, they will all be in the same boat. We are here representing the people, and we ought to tell them where they get off.

Coun. WATSON—Mr. President, there is a lot of truth in what the councilor has said. I have talked today with several members concerning the treatment which is being accorded the people of Boston by the theaters. I am told that when Mr. Clancy, corporation counsel of St. Paul, Mr. McNally, a representative man of that city, and Mr. Seymour, chairman of the taxation board of the city, were here awhile ago, the privilege of theaters in this town could not be obtained for them, and that the Mayor of Boston had to pay for three tickets for those gentlemen to see a show here, from his contingent fund, and I know that Coun. Walsh had to pay for three tickets to the Harvard-Centre football game, which took place in Boston last Saturday. That is right, isn't it?

Coun. WALSH—That is a fact.

Coun. WATSON—Notwithstanding the fact that the grand stand in the Stadium is there illegally, and I want to get that right on the records now. I don't want to take up the time of the body, but I do wish to have this correctly stated. I was told when Mr. Patrick O'Hearn was Building Commissioner eight years ago, when they started to get a permit to build that wooden stand, he said, "You cannot do it, it is against the law." I know that the most influential people then in political circles tried to get the late Patrick O'Hearn to change his mind, but he wouldn't do it. Even the Mayor suggested that it meant the loss of a million dollars worth of business if they did not get that permit, and I know that people close to the Mayor begged the Mayor to try to use his influence with Pat O'Hearn to change his mind. But he refused to do so. They then immediately appealed from Mr. O'Hearn's decision, and the Board of Appeals heard the appeal, and in fifteen minutes voted unanimously to set aside the decision of Pat O'Hearn. According to the law today, as I am told by a man who knows, when the Building Commissioner refuses to grant a permit according to law, by appealing to the Board of Appeal and showing that there is a public necessity, a decision may be obtained from the Board setting aside or overriding the law, without a hearing from those opposed to the appeal. That is something that the Supreme Court cannot do, set aside a law without giving a hearing to both sides. I would say, in regard to this ticket matter, that I have been on the black list of the Harvard Athletic Union for six years. I have tried to get a hearing before that Athletic Committee to prove my innocence of a charge that my tickets fell into the hands of a speculator, and they would not give me a hearing. But they apply every year for that stand, calling it a temporary structure. It is a temporary structure,

and when they ask the right to erect it of Mr. O'Hearn, Mr. Wilson or other building commissioners, and are turned down, they can go to the Board of Appeals on this temporary structure and get a permit issued in fifteen minutes. There is a hearing by the Board and the appeal is granted because of "public necessity." What man of common sense can reason that it is a public necessity to add 18,000 or 20,000 seats to the Stadium for one or two football games, because of the crowd coming here from other cities who wish to be accommodated? Public necessity means something for the benefit of all the people. Mr. President, I think it is illegal, that their stands are illegally there. We get very little courtesy from them, although the location is in Boston. I did not intend to say anything about this matter, but Coun. Moriarty's words gave me the opportunity. Now, concerning the theaters: The leading agents for tickets admit that they have an arrangement with the ticket office, treasurer or management of the high class theaters, and get a block of the best seats early, paying for them, and by returning them twenty minutes before the raising of the curtain securing their money back. A lot of chance they take! That sort of thing has been going on here for years; in my second year in the City Council I spoke an hour on it. When I told the gentlemen from St. Paul that we could not get seats for them at the Colonial show without paying for them, they were surprised. "But," I said, "you are the guests of Mayor Curley, and he will not permit you to pay your way into a Boston theater." He then called up the theater, made the arrangement, and bought the three tickets and paid for them. You will remember Commissioner Clancy, Coun. Lane, whom we met coming from Milwaukee to Detroit. He has been here recently for three days, with the other two men. He said to me, "You don't mean to say to me that you gentlemen do not have any privileges in the theaters here." I said, "No," and we don't have privileges of any kind. If we go to Hyde Park on business connected with the city, we have to pay 40 cents from our own pockets." He said, "Well, we have privileges in St. Paul; have a season ticket to every public event, good for four each week." That illustrates the difference between Boston and other cities. Here we are, nine red-blooded men, nine of the ten trustees of this great corporation, and there are only three theaters to which I can go and show my face at the door and get a seat,—and you members have the same privilege. The late Doctor Lothrop always had his doors open to the members of the Council, not only to ourselves but to friends if we desired to bring them. The three theaters to which I refer are the Howard, the Bowdoin Square and the Grand Opera House, and Mr. Charles Waldron, of the Casino, gives the same privilege. In the other theaters it does not exist. Now, let us get back to the subject under discussion. Coun. Moriarty's heart beats right all the time. He is impetuous, like myself. Let us be bigger than the theater managers. Let us make them feel cheap by showing that we are big enough to do something for all the people. We know, after all, that it is dangerous to put the power into one hand to censor anything, even of an educational nature, in the moving picture line. Let us bear in mind the fact that moving picture censorship means that they can censor educational motion pictures, if they desire. I sincerely trust that we will take the popular side, the right side here, against censorship. Freedom in that matter is akin to free speech. It is true that some bad pictures get by, but in heaven's name, don't bad books get by just as well? Don't condemn all because of the few. I sincerely trust that Coun. Moriarty will withdraw his motion to lay on the table for a week, in order that our support may be given to the movement to defeat the moving picture censorship bill.

President BRICKLEY (to Coun. Moriarty). Do you withdraw your motion?

Coun. MORIARTY—Well, I think it would be well to lay the whole matter over.

Coun. WATSON—I don't think these things should be tied up together. I think we should act upon this order, and then, upon the other matter, I am willing to go the limit.

Coun. FORD—It seems to me, Mr. President, that Coun. Moriarty's motion is the better one, taking the whole matter up at once, if possible. We have all suffered from persons who have charged premiums on tickets. I don't know that anything can be done in the matter—in fact, I feel doubtful about it,—but if anything can be done, let us at least consider that possibility. There is certainly no use in running to give these fellows everything they want in connection with the censorship business, and then having them throttle us on something else. I think it is just as well to have the matter remain in abeyance until it can all be cleared up. I don't want to be delivered on this censorship business, and I don't propose to be. I think the matter had better stay on the table.

Coun. WATSON—Mr. President, I don't care. I didn't give the matter a thought until a gentleman came here and said, "Jerry, has the Council gone on record concerning the moving picture censorship?" I said, "No." He said, "Why don't you pass an order concerning the matter?" I thought it might be a good idea, as I thought we were all opposed to the proposed censorship. That is all. But if Coun. Ford wants to exercise his legal knowledge in the matter, looking into it further, I have no objection. I thought if Coun. Moriarty was satisfied you would all be satisfied. But, of course, if you desire to look into the matter from a legal standpoint, I don't object.

Coun. FORD—Mr. President, I don't desire to look into the matter from a legal standpoint, at all. I simply think that action at this time might be rather premature. It might be that I would be against the censorship bill, or it might be that I would favor it. Personally, I feel that I would be against putting the censorship in one man's hands. That is the way I feel at the present moment. Still, it is one of the questions that has been referred to the people for their judgment, and I really think, seriously, that they ought to be left free to deal with the whole question. But, while I would probably be ready to vote "yes" on this order, generally speaking, inasmuch as Coun. Moriarty intends to do something on the other thing, I think we ought to make one bite of a cherry. There is no use delivering everything to the people one day and then find that we have put ourselves in a position where we cannot do anything in some other line. In other words, if the people back of the propaganda to prevent the passage of the censorship bill are doing anything to create this situation at the theaters, which has been criticized here, it does not seem to be consistent on our part to one day pass an order of this kind, and then next Monday to introduce an order of another nature, referring to this other practice. I think it would be just as well, without going into the merits of the question involved at this time, even if we are all against the passage of the censorship bill, to put the matter over and take it all up at once. We may be able to do something, or we may not be. But it does not seem consistent, to my mind, to one day give them the whole works, and then next Monday, when we are powerless, when we cannot do anything, to find ourselves helpless in this other matter. I think the whole matter ought to be taken up at once, and putting it over to the next meeting is not with me a matter of arriving at a legal opinion. I do not need information along that line. If Coun. Moriarty can accomplish something, I am with him. To pass this order at this time, without reference to the other matter, accomplishes nothing along the lines where we would like to see something accomplished. It simply gives these people who are opposed to the censorship bill, which we are all against, something for nothing.

That is what it boils down to. Why not let the thing stand until something can be accomplished along the line that the councilor suggests? Don't give them anything until they give you something. That is mighty good politics.

Coun. WATSON—Mr. President, I think the councilor opposite has made a very, very poor speech for a man with his legal ability. He said, as cold as he could say it, "We will use this to hold the other fellows up."

Coun. FORD—And that is what I meant.

Coun. WATSON—All right. Then, I am against that kind of business. The two things should stand by themselves. Either this movement in opposition to the censorship bill is a good thing or it is a bad one, and the question of free tickets or speculators does not enter into it at all. I am not going to be a party to any legalized hold-up. You have really reiterated what I assumed you meant. You made no bones about it, saying that that was what you meant. I am going to move that those remarks of yours and mine referring to it be taken from the record, because they are no credit to us, suggesting any such position on this whole proposition. I am surprised at you, that you, with your legal training, should say that we ought to use our power in this matter in any such way, delaying action on the censorship bill until these men do something for us. I have never done that in my career, and I never will. I am big enough to divide the question. If moving picture censorship is a good thing, we ought to have it, and if it is a bad thing, we ought not to have it. I am opposed to it. I am opposed to the abridgement of our liberties. I am opposed to taking from us our liberties and rights, whether under the Volstead act, depriving us of light wines, beers or liquors, or taking away from us the right to choose the moving pictures we want to see. It is no more right, in my opinion, to tell me what I shall drink or what pictures I shall look at than it is what I shall eat. That is my philosophy, and I am surprised at the councilor opposite taking the position he does. I don't think Coun. Moriarty had any such thought in his mind. He did want to have the two considered together, I think for a good reason, but the reason advanced by the gentleman opposite is a mighty poor one. I am going to move, with his consent, to strike from the record what he said he wanted and what I said concerning what he said he wanted.

Coun. MORIARTY—Mr. President, I was glad to hear Coun. Gilbody ask for postponement, but when the answer he gave Coun. Watson was not satisfactory I jumped into the breach and told him I would be glad to give my reasons, and the only reason I suggested was because he had asked that question of Coun. Gilbody. I have never gone into Waldron's, the Howard or the Bowdoin Square Theaters, without paying. It is not a matter of holding them up. I don't know anything about them. I don't know one of these people from another. I don't know Judge Brackett, if that is his name, from a

hole in the wall. I never saw him that I know of, and I know nothing about him. It is not a question of free tickets. It is a question of not rushing in and helping out people in one matter, when they are not willing to correct an abuse in another matter. Perhaps these may be independent questions, but I think they may well be considered together. I think it is well for us to take our time and go slow, correcting abuses of which we know, if it can be done, by a conference in the Mayor's office, at which all these matters can be considered. I do not intend to hold them up, and don't know that I could do so if I wanted to. But I do think it would be a dignified procedure for the Mayor to send to these various theater owners and representatives and say, "Here, cut this ticket business out." If the men in the box offices did not stand in with the speculators the thing could be stopped in twenty minutes. There is no doubt of that. I simply think it would be well to hold up the order until there can be a conference as a result of which possibly the whole situation may be straightened out and both abuses corrected. I think it can be done. But if you give them all they want, it is human nature for them to afterwards do as they please. When you then want them to do something that they should do, but which they do not feel like doing, they will not do anything at all. If that is to be considered as holding them up, let it be so.

Coun. WATSON—Mr. President, just a word more. Mr. Harkins, here, a friend of mine of long standing, and a man who I think has no connection whatever with the moving picture industry, said to me, "Don't you think it would be a very popular and wise thing to do to take this action?" I thought it would be, and I don't think he ever had anything to do with Judge Brackett. I simply feel that this matter should be dealt with on its merits. I feel that it is nothing but right and proper, not in the interest of the managers, but in the interest of the public, in the interest of personal liberty, that this censorship proposition should be defeated. However, I don't care what you do with the order. It may be that if it came to a vote today nine members would favor it, or it might be that it would be defeated. I am not interested in what action the members may take, but I would like to know how some of the members here arrive at the point of view that they have expressed.

The resolution was referred to the Executive Committee.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.56 p. m. on motion of Coun. DONOGHUE, to meet on Monday, October 30, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, October 30, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY presiding, and all members present.

JURORS DRAWN.

Jurors were drawn under the law (by Coun. MORIARTY, in absence of the Mayor), as follows:

Ninety traverse jurors, Superior Criminal Court, fourth session, to appear November 13, 1922:

Clifford B. Bragdon, Ward 1; Michael A. Crowley, Ward 1; John L. Kirk, Ward 1; Harry L. Finkelstein, Ward 2; John J. Higginbotham, Ward 2; Alfred R. Hooper, Ward 2; David Miller, Ward 2; Andrew Walker, Ward 6; John Tyrrell, Ward 6; Frederic H. Dowd, Ward 3; Albert J. Hughes, Ward 3; Alexander A. McKinley, Ward 3; James Walsh, Ward 4; Biaggio Iannella, Ward 5; Bernard Linsky, Ward 5; James Long, Ward 5; Louis Winston, Ward 5; Edward B. Tobin, Ward 5; John Tyrrell, Ward 6; Frederic H. Adams, Ward 7; John H. F. Connor, Ward 7; William F. Galucia, Ward 7; John Heffernan, Ward 7; Max Goorvich, Ward 8; Herbert L. Guild, Ward 8; Frank M. Kimball, Ward 8; Stephen J. O'Donnell, Ward 8; Edwin A. Rogers, Ward 8; William E. Jenness, Ward 9; Timothy F. Riley, Ward 9; Michael P. Fabey, Ward 10; Richard F. Higgins, Ward 10; Dennis McCurdy, Ward 10; Thomas W. Upham, Ward 10; Timothy F. Connolly, Ward 11; Joseph M. Flavin, Ward 12; Thomas F. Drennan, Ward 13; William F. Driscoll, Ward 14; Martin M. Greene, Ward 14; Adolph Littig, Ward 14; James A. McNicholas, Ward 14; John A. McPherson, Ward 14; William A. McQueen, Ward 14; Frederic J. Miller, Ward 14; Thomas H. Mulvey, Ward 14; Samson K. Cohen, Ward 16; William J. Currie, Ward 16; William S. Edwards, Ward 16; Karl D. Godfrey, Ward 16; Morris Schlingbaum, Ward 16; Joseph E. Harding, Ward 17; James Harult, Ward 17; James B. Ward, Jr., Ward 17; Nathan Katz, Ward 18; George E. Kirby, Ward 18; Herbert J. Lane, Ward 18; Winfred E. Norton, Ward 18; Harlan A. Prentiss, Ward 19; James L. Barney, Ward 20; John G. Carnegie, Ward 20; John J. Dineen, Ward 20; Francis A. Hurstak, Ward 20; George A. Loring, Ward 20; Wilhelm E. Lundquist, Ward 20; William F. Maher, Ward 20; Alfred A. Oster, Ward 20; Charles H. Riley, Ward 20; Frederick F. Rowell, Ward 20; Thomas J. Brown, Ward 21; Joseph F. Sylva, Ward 21; J. Frank Browne, Ward 22; Walter S. Burrage, Ward 22; Daniel Gormley, Ward 22; Daniel Mahoney, Ward 22; Charles P. McMorrow, Ward 22; Arthur T. Anderson, Ward 23; Isaac H. Ayres, Jr., Ward 23; George B. Crane, Ward 23; Percy E. Dunham, Ward 23; Edward A. Melia, Ward 23; David O'Hearn, Ward 23; Edward H. Gallup, Ward 24; Allan Grieve, Ward 24; Henry U. Holzer, Ward 24; Thomas E. C. Johnson, Ward 25; Raymond B. Shanahan, Ward 25; Edwin F. Adams, Ward 26; Dennis F. Collins, Ward 26; Joel R. Lewis, Ward 26; Anthony G. Martin, Ward 26.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Frederick W. Attridge, Joseph W. Attridge, Catherine Attridge, Rose Burgess and Agnes Hart, for compensation for damages and for injuries received while in an automobile which was struck by an automobile of the Park Department.

William C. Aspacher, for refund of portion of sidewalk assessment wrongfully assessed to him on estate 18 Porter street, Jamaica Plain.

Arthur M. Basch, for compensation for damage to automobile by a street sweeper.

Berry, Dodge Company, for compensation for damage to automobile by a team of the Street Cleaning Service.

Jennie Conlon, for compensation for injuries caused by a fall on the stairs at the Pierpont Schoolhouse.

Gertrude A. Cook, for compensation for injuries caused by being struck by a truck of the Park Department.

Estabrook & Sibley Company, for compensation for damage to goods at 543 Atlantic avenue caused by the bursting of water main.

Julia H. Fuller, for a hearing on her claim for injuries caused by a defect in sidewalk.

Sarah Hecht, for compensation for injuries caused by a fall at the corner of Saratoga and Putnam streets.

James Hughes, Jr., for compensation for damage to a barge, caused by collision with ferryboat "General Sumner."

Frank S. Iokepa, to have returned to him money taken from him when taken to the City Hospital.

Ruth Olive Knighton, to be paid for clothing taken from her while a patient at the City Hospital.

Caroline J. Little, for compensation for injuries received from a fall on Paul Gore street, near Beecher street, on February 24, 1917.

William J. Long, for compensation for damage by water at 75 Aldrich street, Roslindale.

Holliston Hills, Inc., for compensation for damages at 531 Atlantic avenue, by break in water main.

Leo S. Moran, to be paid for damage to coat on a tree guard on Ashmont street, Dorchester.

M. J. Morrissey, for compensation for damage to automobile by police auto patrol.

Samuel Myers, for compensation for damage to automobile by negligence of the gate-tender at bridge between Chelsea and Boston.

Lucy A. Olsen, for compensation for damage to automobile by fire apparatus.

Richard Stuart Palmer, for compensation for damage to clothing and for injuries received at corner of Canal and Causeway streets by a defect in sidewalk.

Francesco P. Ricci, for refund of amount of tax for 1910 on estate 203 Salem street, said tax having been paid twice.

Max Richmond, for compensation for damage to automobile and for injuries caused by a patrol wagon.

May A. Sharkey, for a hearing on claim for injuries caused by a defect in sidewalk on Boylston street.

Anna M. Williams, for compensation for injuries caused by a defect at corner of Whitfield street and Wheatland avenue.

Beulah Anderson Wentworth, for compensation for injuries received while a pupil at the Rice School.

APPROVAL OF APPOINTMENT OF JOHN H. L. NOYES.

A certificate of approval of the appointment of John H. L. Noyes as Street Commissioner was received from the Commissioners of Civil Service.

Placed on file.

STORAGE AND SALE OF GASOLENE.

Notice was received from the Street Laying-Out Department that petitions for storage and sale of gasolene will be heard on Monday, November 6, as follows:

Edward Clayton, 430 Parker street, Ward 7, 2,500 gallons.

Howard Brothers, 812 Dorchester avenue, Ward 1, 500 gallons additional.

Referred to the Executive Committee.

HISTORIES OF UNITED STATES IN PUBLIC LIBRARY.

Coun. WATSON offered an order—That the Library Trustees, through his Honor the Mayor, be requested to furnish the City Council with the titles and authors' names of all histories of the United States now indexed and distributed at the Central Library and all branches.

Coun. MORIARTY in the chair.

Coun. WATSON—Mr. President, I am going to ask for a suspension of the rule on this order. It may be that it is getting a bit tiresome to my fellow members to hear me every Monday concerning these blasphemous and un-American histories that are now in libraries throughout the country and in the public schools in almost every large city, as well as being in the libraries and schools of the small towns of the United States, with very, very few exceptions. The exception among the larger cities is New York, where all these un-American and pro-British histories are barred. Every book that was brought to the School Committee of greater New York by the Sons of the American Revolution, the Knights of Columbus, the United Spanish War Veterans, the G. A. R., the American Legion and the Veterans of Foreign Wars, has been dropped, in New York. Boston, where the spirit of liberty was first kindled, is the greatest offender in the matter of teaching the youth wrong history, more so than any other city or town in the United States. I appreciate as well as anybody the fact that to some my continued opposition to this condition in our schools and libraries is getting a bit tiresome, but anyone who becomes tired at an honest effort to begin the teaching of true history to our youths is rather a lukewarm American, whether he be my friend or my foe, because 95 per cent of the men, women and children in the United States are pro-American. I believe that the birth of this nation in 1776 was the next thing to the resurrection, and I believe that our children should be taught just what it meant. I propose to continue my feeble efforts, with the co-operation of my associates and the press, if the press will co-operate with me, to attempt to keep lit or to rekindle, if I may use that term, patriotism in the public mind. It is unfortunate that I am the instrument. It is too bad that there is not some one of greater means or greater influence than I who can make this contest. But I am getting great courage because of the backing I am securing in the matter from every patriotic organization in the United States. I have the backing to the limit, 100 per cent, of the National Society of the Sons of the American Revolution, through its director, Judge Wallace McCamant, of Portland, Oregon, the man who nominated Calvin Coolidge at Chicago for Vice President of the United States. I have the undivided support and the written indorsement of the chairman of the Americanization Bureau of the Veterans of Foreign Wars, Mr. Walter J. Joyce; I have the backing of the National Organization of the Grand Army of the Republic, through the national commander; I have the backing of the American Legion, through the new commander, Mr. Owsley, of Texas; I have the backing of the Spanish War Veterans National Organization, through their commander; I have the

backing of Edward F. McSweeney, who is authorized to indorse and back my efforts on the part of the Knights of Columbus committee on true American history. I have the backing of many individuals who are patriotic, and I will say frankly that the preponderance of the indorsement I have received, from the Atlantic to the Pacific, from the Gulf of Mexico to Maine, comes from what may be termed the Pilgrim or Puritanical element in our community, men who date ancestry from the time of the landing of the "Mayflower," together with the indorsement of those who came over in more recent times but who have become patriotic sons, true Americans. I have not met an individual who has contested my position concerning these vicious histories. To think that the greatest offender, one of the greatest offenders, is Albert Bushnell Hart, professor of history at Harvard College! Why, Mr. President, he is the most inconsistent gentleman who ever lived. He indorsed our attitude concerning the book in our library entitled "The American Wars," by Miss Nicolay. When asked by Mr. Belden whether or not he, Mr. Hart, thought that book should continue in the library, Mr. Hart said without qualification that it should be barred. I might say at this time that the papers were in error when they quoted me as saying that I had the indorsement of Mr. Belden concerning the later books I have talked about. I merely have Mr. Belden's indorsement, if it may be called such, to the effect that he agrees as librarian of the public library that "The American Wars" by Helen Nicolay is unfit for distribution by the Boston Library. Mr. President, Professor Hart is like all employees of Harvard. They are American until their pay roll is attacked. Professor Hart told Mr. Belden that "The American Wars" should be barred from the Boston Public Library and public schools. Then, when he was asked by Mr. Belden whether the book was in the Widener Library at Harvard, he said it was, and when asked by Mr. Belden if he favored its being taken out of that library, he said, "Oh, no." The answer is that Professor Hart is on the pay roll of Harvard, and part of his pay is furnished by money spent indirectly in favor of British propaganda, because Harvard College is teeming with British and un-American propaganda. It is unfortunate that I have to speak so strongly about it, but it is a fact. During the war the greatest offenders in the matter of opposing the allies were such men as Professor Frankfurter and others connected with Harvard, who appeared at the courthouse and in other places endeavoring to prevent men who were opposed to the war from being interned. One of the judges on the bench told Professor Frankfurter, "I believe that you, in endeavoring to prevent certain men from being interned, are more hostile to the allied powers and are creating more trouble than the ones who want them interned." I can furnish the name of the judge who said that, in substance, if not actually. Now, I am satisfied that we are going to eliminate from our libraries and schools in the United States this British propaganda. I don't use the word "Anglo-Saxon" because that is a myth. "Saxon" is German, and "Anglo" is British, and how they got the two words together I fail to know. We have this Anglicized propaganda, these Anglicized histories, fostered and encouraged by men who ought to be willing to lose their last drop of blood for the institutions under which we exist. Our constitution is the greatest in the world, each of its articles breathing a spirit in opposition to English acts and English institutions prior to the Revolution. My friends, I am going to continue this at every meeting, if necessary. I ask this information from the Library Trustees, knowing full well that all of the history books mentioned are pro-British and anti-American. While there may be no intention to do wrong on the part of those who are furnishing these books to readers, it means one of two things. Either

those responsible for these books are on the Cecil Rhodes pay roll, or else on the pay roll of the Carnegie libraries, or they are directly employed by the British to bring about what the English call a "better feeling between America and England." I, as an American, desire to continue as an individual on friendly terms with England, but I am not willing that America should be a tail to the kite of Great Britain. Great Britain, with a population of 37,000,000 people, governs from the British Isles 320,000,000 whom they have no right to control. I hope that this order will be passed under a suspension of the rule. I feel that it is unfortunate to have to attack Harvard continually, but you do have to do it. You cannot approach this great question in any pussy-footing manner. "Pussy-foot" Johnson tactics will not prevail. You must drag out the snake into the open and kill it so thoroughly that it cannot even wiggle. We have to hit the nail on the head. Harvard College, whether knowingly or unknowingly, is pro-British, and if I have to name certain individuals who are connected with this movement I will name them. They are either on the pay roll of the Carnegie Foundation or on the pay roll of the Cecil Rhodes Foundation, absolutely. They are corrupting the minds of the youth of Harvard with this so-called highbrow stuff, which is another name for pro-British propaganda, and I say that any man who professes to be either ten per cent American, who will not stand up and fight in the open against British propaganda, is, knowingly or otherwise, a friend of Great Britain, and Great Britain is his first choice when it comes to any question between America and England. I think, Mr. President, that I have covered the ground pretty thoroughly. My speeches get a wide circulation. I get more publicity in the New York *Sun* and *World*, the Kansas City *Star* and the Los Angeles *Inquirer* than I do locally. I do not blame them, of course. In the early days Benjamin Franklin, Sam Adams, Otis and the other patriots who stirred up something were pointed out as worthless fellows, men who beat their wives, or something of the sort. That doesn't matter! The patriot Hancock, the first signer of the Declaration of Independence, was referred to as a smugler by the cozy highbrows of the early days, who were like the highbrows of Harvard College of today. They are all identical. If you don't belong to their little class or circle, you are not fit to be considered. I am satisfied, however, to remain as I am. I would rather be with the great unwashed majority than to be classed with these Harvard College highbrows who profess to bathe three times a day. I am with the everyday man, and my colleagues are. There are no artificial distinctions here. Each member here is as worthy and as honest in his position in these matters as I am. They are not as fortunate as I am in respect to having this data, which is very valuable, and which offers me an opportunity to present this propaganda in its true light. I am going to continue this movement as long as God will permit me to talk either here or elsewhere. We are going to have pro-British and anti-American histories removed from our schools and libraries. I am willing to admit that I know of cases where there are these very books I have referred to, today and in the past, in certain convents of the faith that I profess. That is unfortunate, but where I know of such cases I am writing to them, and two such institutions have already removed them. But such cases are very few and far between. The books are, however, in our public and private schools, other than the parochial schools. We cannot remove them from the private schools because that is their business. If the fathers and mothers desire to send their children to schools where pro-British history is taught to the growing child, that is their privilege. The right is given them under the Constitution to educate their children how and where they see fit, the same as they have liberty in the matter of worship. We have liberty here of thought and action not contrary to our American institutions. Mr. President, there is no division here in this body. Every member is

with me, and in this movement I know that they are proud to be with me. I am simply an instrument whereby this matter may be kept going. I may remain in this body, but I may not. You cannot always tell. I am a candidate for re-election, and if I lose I will take up the fight somewhere else or in some other way. But Coun. Glibody, Hagan, Donoghue and Moriarty will be here, if I am not, next year, and I know that they will continue this contest until they bring it to a successful finish. We are going to have America for Americans, and I am just bigoted enough an American, if I may use that term, to favor the erection of a great big wall around the boundaries of the United States, doing our business within those boundaries and living by ourselves, if we cannot live as we see fit because of foreign propaganda. I have no quarrel with England, not a particle; I have no wish to appear offensive to our British-American citizens, provided they are Americans first. That is the important thing. I have not the slightest quarrel with a British-American, Italian-American, Irish-American or French-American naturalized citizen, but to suit me as an American citizen he must be an American first and for his home land afterwards. I move a suspension of the rule that the order may pass.

Coun. WATSON submitted the following:

Sons of the Revolution in the
State of California,
Los Angeles, October 20, 1922.

Hon. James A. Watson,
City Council, Boston, Mass.:

Dear Mr. Watson,—Having recently noticed in the Associated Press mention of your commendable and determined effort to bring about a thorough investigation of the histories now in use in the public schools of the City of Boston, in the hope that such an investigation may result in a restoration of truthful patriotic histories, I write to extend my well wishes for your success.

It is, of course, unnecessary for me to mention that you may expect every kind of opposition imaginable, including political, intellectual, racial and sentimental, and, last but not least, financial. You will be abused by some and ridiculed by others, but you are in the right and will enjoy the respect and admiration of every true American.

We made a fight here, but lack of funds prevented our carrying it to a successful issue. We got some results, but pro-British propaganda seems to have already gotten its work in on this coast to such an extent that it cannot be easily disturbed.

Hoping you will not allow the opposition to stop you in your worthy and patriotic fight, and again wishing you success, I am
Yours very truly,

FRANK HERVEY PETTINGELL,
President.

National Society of the Sons of the
American Revolution,
Portland, Ore., October 18, 1922.

Hon. James A. Watson,
City Council, Boston, Mass.:

Dear Mr. Watson,—I have learned through Mr. Charles Grant Miller of your deep interest in the matter of a reform in our school histories. At Mr. Miller's request I am writing Mayor Cudley as per copy herewith. These objectionable histories have been introduced into the schools through the personality of selling agents while the rest of us have been asleep. No one who has not looked into the subject can have any idea of how bad are many of the histories which are now in general use. The National Society of the Sons of the American Revolution at its Springfield congress last May took pronounced ground on the subject, and the committee of which I am the chairman is charged with the duty of carrying its resolution into effect. I have prepared a review of the Muzzey history, which is one of the worst, and will be glad to supply you with copies of this review in such numbers as you can use. The Willis Mason West history is even worse than Muz-

zey. It eliminates the entire story of the Revolutionary War and is socialistic in its trend. The O'Hara and McLaughlin & Van Tyne histories are only a shade less objectionable and the Everett Barnes history is impossible.

The chief value in the study of American history is the inculcation of patriotism. A history which tells the story in cold and colorless outline, eliminating all enthusiasm for the heroes of our past, is of no value and should not find lodgment in any American school.

With every good wish,
Cordially yours,
WALLACE McCAMANT.

The order was passed under suspension of the rule.

REMOVAL OF CONVENIENCE STATION.

Coun. WATSON offered an order—That the Board of Health through his Honor the Mayor, be requested to remove forthwith the convenience station at the corner of Washington and Eustis streets.

Passed.

TICKET SPECULATION ON THEATER PREMISES.

Coun. MORIARTY offered an order—That his Honor the Mayor be requested to adopt such regulations as may be necessary in connection with the licensing of theaters and public amusements, so as to provide that the license shall be revoked if ticket speculation is allowed on the premises, or if it is shown that the proprietor or manager or any employees have any dealings with ticket speculators.

Coun. GILBODY in the chair.

Coun. MORIARTY—Mr. President, I am going to take but a very few moments on this matter, as I understand that some of the heads of departments are here to appear before us and that they are anxious to get back to their offices to meet appointments. I had the pleasure of going to one of the prominent theaters in town within the last ten days, to buy tickets. I found a line of about fifty waiting to buy tickets. I started to go out of the lobby and was accosted by some speculators in the lobby of the theater, trying to sell tickets, such tickets as the people in the line were not able to buy. I had a talk with the Mayor in regard to this order, and he is very favorably inclined to it. While we may have no power to revoke a license in one of the playhouses in Boston, they do have to be licensed yearly, and the Mayor will be in a position to refuse a license where these people are found selling tickets upon the premises. It is a well known fact, in the case of every good show that comes to town, that there is a large number of good tickets taken out by the men in the box office and handed to speculators, and that the speculators charge anywhere from \$1 to \$3 a ticket more than the face value. When people go to the theater to get tickets they find that they cannot get the seats that they want, but that these same leeches are hanging around the doors of the theater and trying to drag extra money of the people in this way. They are men who are not willing to go out and make an honest living, but they take this means of getting money away from the unfortunate who is not able to spend it, except perhaps on pay day. At this time, on account of the presence of heads of departments who are anxious to get away, while there is a lot more that I could say, I will refrain from doing so. But before I sit down I will move a suspension of the rule so that the order may be put upon its passage.

The question came on suspending the rule for the passage of the order.

Coun. WATSON—Mr. President, I want to say that I endorse everything that Coun. Mori-

arty has said. I might say much more. I know that he knows much more, as well as I do. But, as these heads of departments are present, as he has said, I am willing to refrain from saying more at this time.

Coun. MORIARTY—Mr. President, I want also to say to the newspapers that I did not see anything in the papers last Tuesday in regard to what was said here about the theaters. I would like to ask the newspapers to invite the public to send complaints to the Mayor's office every time when anything of this sort happens, when they run across one of these speculators on the property of any of the theaters in town, so that we may be able to follow the matter up.

The rule was suspended and the order was passed.

RECESS TAKEN.

The Council voted at 3:20 p. m. to take a recess, subject to the call of the President.

The Council reassembled in the Council Chamber at 4:57 p. m., and was called to order by the President.

COMMITTEE ON JITNEYS.

Coun. FORD, for the Committee on Jitneys, reported on petition of Alfonso Roberto (referred October 9), recommending that a license be granted.

Report accepted; said license granted, subject to terms and conditions expressed in city ordinance.

COMMITTEE ON ORDINANCES.

Coun. HAGAN, for the Committee on Ordinances, submitted reports as follows:

1. Report on message of Mayor and ordinance (referred October 20) relative to transfer of Avenue Louis Pasteur from control of Public Works Department to control and care of Park Department—that same ought to pass.

Report accepted; said ordinance passed.

2. Report on message of Mayor and ordinance (referred October 20) transferring certain bridges from custody and control of Park Commissioners to custody and control of Commissioner of Public Works—that the same ought not to pass.

The report was accepted, and the question came on the passage of the ordinance.

The ordinance was rejected, yeas 4, nays 4.
Yeas—Coun. Ford, Hagan, Lane, Watson

—4.
Nays—Coun. Brickley, Donoghue, Moriarty, Walsh—4.

Coun. FORD—Mr. President, I would move a reconsideration of our action, because of the tie vote. There are now nine members present, and I think, as long as that is the case, the ordinance had better be either accepted or rejected by majority vote.

Coun. GILBODY—Mr. President, I trust reconsideration will prevail. I happened to be outside on an emergency matter, and that is the reason why I was not present to vote.

Coun. FORD—On such an important matter, Mr. President, I feel that we should have a vote of the full body, as long as all of the members are now present.

Reconsideration prevailed, and the ordinance was rejected, yeas 4, nays 5:

Yeas—Coun. Ford, Hagan, Lane, Watson

—4.
Nays—Coun. Brickley, Donoghue, Gilbody, Moriarty, Walsh—5.

3. Report on itinerant vendors' ordinance (referred June 26), recommending the passage of the ordinance in the following draft:

TRANSIENT VENDORS' LICENSES.

Section 1. Every transient vendor, whether principal or agent, authorized by state license to do business in this commonwealth, before

making any sales of goods, wares and merchandise in the city of Boston, shall make application for local license to the city clerk, stating the names, residences and places of business of the owners or parties in whose interests said business is conducted.

Sect. 2. Upon the payment of a fee of \$200 the city clerk shall issue to the transient vendor a license authorizing the sale of such goods, wares and merchandise within the city of Boston. Such licenses shall remain in force so long as the licensee shall continuously keep and expose for sale in the city of Boston such stock of goods, wares and merchandise, but not later than the first day of April following its date of issuance.

Sect. 3. Every transient vendor who is granted a license under the provisions of this ordinance shall exhibit the same at all times, while in force, in some conspicuous part of the place of business for which it is issued.

Sect. 4. The term "transient vendor" for the purposes of this ordinance shall be the same as defined in sections 1 and 2 of chapter 101 of the General Laws of Massachusetts, as amended by chapter 2 of the General Acts of 1920 and chapter 106 of the General Acts of 1921, and shall include any person, either principal or agent, who engages in a temporary or transient business in this city, either in one locality or in traveling from place to place, selling goods, wares or merchandise. "Temporary or transient business" for the purposes of this ordinance shall mean and include any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business under the direction of such vendor during usual business hours for a period of at least ten months in each year. The provisions of this ordinance, however, shall not apply to sales by commercial travelers or by selling agents to dealers in the usual course of business, or to *bona fide* sales of goods, wares or merchandise by any person, whether principal or agent, who engages in the temporary or transient business within the city, and who has paid taxes upon his stock in trade during the current year, or to hawkers and peddlers as defined by the laws of this commonwealth and the ordinances of the city of Boston.

Sect. 5. Any person, association or corporation who shall engage in the business of a transient vendor, as herein defined, without having secured a license for that purpose as provided in this ordinance, or who, having secured such license, shall thereafter fail to pay the sum provided herein, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than \$5 nor more than \$20 for each day during which such goods, wares or merchandise are kept or exposed for sale.

Chapter 11 of the Ordinances of 1920 is hereby repealed.

The question came on the acceptance of the report.

Coun. HAGAN—Mr. President, I am going to make a motion that the committee report back "Ought not to pass," the object being that I may have an opportunity to present some arguments as against the proposed amendment. When this ordinance was up for consideration some few years ago before the then City Council it was agitated pro and con for a long period of time, was finally accepted, was agreed to by the then Mayor, and this ordinance has been in existence now for a period of some two or three years. During that period there has been no opposition to the existing ordinance. Your merchants doing business here for twelve months in the year have been satisfied and contented. There has been no opposition from any source that I or anybody knows anything about until this opposition has appeared here now, when a New York concern desirous of doing business in competition with our local merchants is asking for the privilege of acting under this proposed amendment, which repeals the provisions of the ordinance in existence and takes from it, in my judgment, all the force, power and teeth that the ordi-

nance possesses. I want to call to the attention of the committee who have reported favorably on this amendment the fact that if there ever was a case appearing before the Boston City Council involving special legislation this is one, this one concern coming in here in opposition to all the merchants in Boston, being the only concern which has asked for this repeal and for this proposed amendment. Therefore I think this should very properly be classified as special legislation, and I think special legislation is something that should require the most careful scrutiny on the part of this or any legislative body. While this matter was pending, knowing that it was coming up for consideration before this body, I received from the merchants of Boston various letters, as set forth in this list in my hand, all uttering their sincere and honest protest against the adoption of the proposed amendment. The letters here are signed by Jones, Peterson, Walkover Shoe Company, C. D. Whitney Company, Conrad & Co., Butler Company, Summerfield, Regal Shoe Company, S. S. Pierce Company, N. Salinger, F. P. O'Connor Company, Smith, Patterson Company, R. H. Stearns Company, Jordan March Company, A. Stowell Company, Jackson & Co., P. F. Bonney's Sons, Jay's, Gilchrist Company, Scott & Co., Dennison Manufacturing Company, E. T. Slatery Company, Houghton & Dutton, Andrews Shoe Company, R. H. White Company, Damon Company, Shreve, Crump & Low, Walter M. Hatch Company, Credit Reporting Company, Better Business Commission, John H. Pray Company, William C. Adams Company, Burditt & Williams Company, Adams, Cushing & Foster, Jones, McDuffee & Stratton. I think, Mr. President, that that is a very representative body of Boston merchants, who usually know what is best for them and what is best for the citizens of Boston, and who are capable in every way of giving an honest expression of their viewpoint. These letters are here for the perusal of any member of this body, voicing the opposition of these concerns to this amendment in a decided and pronounced way. We are asked to ignore, and by vote of committee have ignored this representative body of Boston merchants, who pay taxes to the City of Boston each and every year, spending their entire business life here. We are asked to ignore them entirely, so that we may grant special legislation to a New York concern who come here to Boston every year and spend one week in our midst, taking away from us in Boston money from \$75,000 to \$100,000. I am told that that is the usual volume of business that they do here. These people are a legitimate, high grade, well rated concern, operating in New York City, and coming here to Boston for a short time each year and finding here a fertile field during the holiday season, when the buying of jewelry is most pronounced, when persons are purchasing Christmas presents for members of their family and for their friends. This concern desires to come to Boston during that one week or ten days to do business in competition with our merchants who are here for twelve months in every year and who pay taxes to the city. They seek to come here and pay the minimum amount of tax and take away from Boston money some \$75,000 to \$100,000, which is going to be spent in New York. Your Boston merchants, when they want a carpenter, plumber or other people, hire them from among Boston people, and that money is distributed to the residents and citizens of Boston, or at least of Greater Boston. But this money is going to New York. So that, in addition to the granting of special legislation to one concern,—a deplorable act, I think, in itself,—you are permitting this one concern, legitimate as it is, to take away from Boston every year from \$75,000 to \$100,000 of our money, to be spent in New York City. We hear a great deal of opposition here because the Boston Public Library and other institutions connected with Boston will hire an employee who lives outside of municipal Boston. I think it well for those who are opposed to the continuation of that

system to weigh well the fact that they are granting this special legislation now to a New York concern which is taking away from Boston \$75,000 to \$100,000 every year. This concern has done business here before. They were here in 1919. Going back in the Municipal Court docket in the City of Boston, I find that the records of that court show that J. Arthur Hull, representing the Dreicer Company, was summoned into court on April 22, 1919, on the unlicensed transient vendors' charge. The date of the offence was April 16, 1919. So, you see, they knew that this ordinance was in existence. They evidently preferred to ignore it and take their chances, and somebody, I don't know who, cited them into court.

Coun. WATSON—The Chamber of Commerce.

Coun. HAGAN—I don't think so.

Coun. WATSON—Well, they admitted it here.

Coun. HAGAN—It may be so, but I don't think so. They were arraigned on July 15, 1919, and entered a plea of "Guilty." On July 15, 1919, they paid a fine of \$25. With that ordinance clearly in their minds, with a knowledge that there was an ordinance of the City of Boston that prevented an itinerant vendor from doing business here in our midst, after paying a fine in 1919, as shown by the docket of the Municipal Court of 1919, the 1922 docket of the Municipal Court of the City of Boston shows that J. Arthur Hull, representing the Dreicer company, was summoned into court on the unlicensed transient vendors' charge, and that the summons was made out by Officer F. S. McNabb, from Division 16. The date of the offence was given as April 15, 1922. Mr. Hull was arraigned on April 21, 1922, and entered the plea of "Not guilty." The case was continued until May 1, 1922, on a \$100 bond, on his own recognizance. The docket shows that he defaulted on this bond. There were no other entries. The number of the docket is 3665. Nothing has happened to this case since the default. The cash for the bond was not put up in this case. The clerk said that Mr. Hull is subject to arrest. This has not changed up to October 25, 1922. This shows, gentlemen, that this concern, knowing that there was an ordinance preventing their doing business here, ignored it in 1919, coming then to Boston and doing business, and being content to pay a fine of \$25. Here are your legitimate merchants in Boston, men doing business here the year round and paying thousands and thousands of dollars into the city treasury and employing citizens of Boston, while these men are willing to come in here and take a chance and pay a fine of \$25 in the Municipal Court, the only contribution they have made to the revenue of the city. They tried to follow the thing up again in 1922, with that experience and history, and that time didn't even pay a fine.

Coun. WATSON—Mr. President, if the gentleman will yield for a question, I would ask him if he will kindly cite any other prosecution than this one which has been brought to his knowledge under this act?

Coun. HAGAN—I don't know of any others, Mr. President. There may be a lot of them, and there may not be one.

Coun. WATSON—I mean outside of this particular concern?

Coun. HAGAN—I don't know of any other concern that has come under my observation or that I have any knowledge of at all. There may be others, or there may be none. But the fact is that the ordinance is in existence and the fact that there have not been a number of prosecutions under the ordinance is not the fault of this Council. It is the fault of somebody else if they have not been prosecuted. The ordinance has been in existence. Perhaps there could not have been. But the point I am trying to bring out to members of the body is that you are being asked here for special legislation for a New York concern which is going to take a goodly sum of Boston money back to New York to spend, that they have ignored our ordinance in the past, as it existed in 1919, and even up to the

present time, as the history of the Municipal Court and the records I have read show. I think it is bad enough to pass this special legislation, letting down the bars in the good ordinance you have today. Unfortunately, while this concern is a good, high grade concern, you cannot legislate for them alone, and I think ought not to do so. So, when you let down the bars you open wide the doors to every illegitimate faker doing business to come to Boston during the holiday season, or when he will, any fly-by-night concern, opening up here and doing business for a short time to the detriment of the citizens of Boston and then disappearing. After all, in the last analysis, the citizens of Boston are the people who are being swindled by these illegitimate and fake concerns. You and I have known all our lives that these fakers do not in the majority of cases render a straight deal to the customer who unfortunately sees fit to patronize them. We know, in the case of the dealer who is here twelve months in the year, building up his business during that period, that it is a matter of policy and good judgment on his part to deal fairly by the consuming public of Boston, so that he will continue to retain their friendship, their good will, the greatest asset which he has. But your fly-by-night concern, your faker, knows nothing of good will and cares less. He wants the nimble shilling, the dollar that comes quick, and he wants to gather in all the suckers that he can, and proceeds along this line. We have to put up fences or safeguards along our bridges in Boston to keep irresponsible people from falling overboard. It is necessary to have an ordinance to keep out these fake concerns. Only the very few of the Boston public, the wealthy class, deal with Dreicer, because he is carrying very high grade jewels, very high grade pearls and diamonds, and he does not reach the great masses of our people. It is the elite who patronize him when you invite and permit him to come into Boston. But bear in mind, gentlemen, that when you let down the bars, open the doors for him, you are permitting any faker, at any time, from anywhere, to come into Boston and take away to his headquarters, wherever they may be, a certain amount of Boston money culled from gullible people, who would otherwise go into the various Boston establishments, and do business with our Boston merchants, men who are helping to support the city and who are interested in giving a square deal to the people. That is the most important thing to consider with reference to the amendment as presented today. I don't blame Mr. Beal, representing the Dreicer company, for coming in here and presenting this case in the best possible way. He is merely acting as attorney here, wants to collect his fee and do the best possible job for his people, so that they may come in here in the holiday season and take money away from such of our local concerns as Shreve, Crump & Low, Smith, Patterson, Bigelow, Kennard, and others, who are here throughout the year and who pay heavy taxes into the treasury of the City of Boston. And remember, when you let the Dreicer people in you are going to let the fakers in, too. There is a thing that you are going to face and that you cannot overcome. You are ignoring the legitimate merchants of Boston and opening the doors to a single high grade concern, but in doing that with this high grade concern you are also allowing to come in a vast swarm of fakers from other places, who will reap as big a harvest as possible and then disappear to other sections of the country. That is what you are going to do under this proposed amendment. If that appeals to you as a proper thing to do, it is what you should do.

Coun. WATSON—Mr. President, as one member who proposes to vote for the amendment reported back by the Committee on Ordinances, I cannot permit this to go by without having a word to say in defence, if defence is necessary, of my position. The nub of the whole thing is this, in my opinion, that this concern he refers to from New York is competing with such local concerns as

Smith, Patterson, Shreve, Crump & Low, Bigelow, Kennard, and other merchants. All right. If those concerns cannot compete with this concern that comes in here from outside, then let us give the people of Boston an opportunity to trade with these outside people, to their advantage, even if the merchants of Boston do suffer. I think there is no question about the soundness of that. Take, for instance, the matter of reciprocity. Suppose we should start in in this way with a concern coming from New York, and that New York should immediately start in to keep Boston merchants out of New York. They would be entitled to take that position against us, if we should take the position that the Chamber of Commerce and Coun. Hagan take in regard to this matter, affecting New York concerns. Now, Mr. President, we are trying to get some revenue from this ordinance, and the Lord knows that Boston needs some revenue. We will have to have more revenue, and that will be the result when these honest merchants and even the so-called fakers and shysters come in here, if they have to pay \$200 into the treasury of Boston, where they now pay nothing. Now, isn't it better to have an ordinance that compels the so-called shyster, as well as the legitimate concern, to pay \$200 to do business in Boston, than to have the thing go on as you, Coun. Hagan, and the Chamber of Commerce want it to go on, in the old way, under which they come in and do not pay a nickel. The fakers and the fly-by-night concerns who want to come in here to do business will have to do so subject to this ordinance, as well as the legitimate concerns. That, in itself, will have a restraining and a beneficial influence. And when you talk of fake concerns coming in here, what about fake auctions, where men and women go into a place, and where they are presumed to have ordinary intelligence and to know in a general way whether they are being rightly or wrongly treated? Anybody of common sense knows when he goes into a fake auction room that he is not going to get a thing worth \$50 for \$3. What is the use of bluffing ourselves? We are supposed to exercise some ordinary intelligence in our daily affairs. Mr. President, the Chamber of Commerce committee is a farce. Of course, Coun. Hagan, you are a member of it, looking for better, bigger, busier business, fostered by a man from Cleveland. Of course, you have interested yourself in this matter and you have got to get something, got to get your money back. I don't blame you. You are the suckers. Do you see them prosecuting the piano man who sometimes advertises through a page or half a page in some of the papers here, saying that you can get an Emerson piano or some other high grade piano, in A1 condition, for \$175, or less? Why not get after things like that, which are fakes? But we see no prosecutions, not a particle. Just think, after all the violent opposition in this matter on the part of the Chamber of Commerce, of what has actually happened. There has been prosecution of just one concern, this New York concern. It is a concern which I know nothing about, personally, I never met Mr. Beal until Coun. Lane introduced him to me here. But the only prosecution has been of this concern, which has a high rating among business organizations, a concern worth probably about \$6,000,000, a reputable, legitimate concern, as all admit. Why was the concern prosecuted? Because Smith, Patterson, who belong to your merchants' organization, Bigelow, Kennard and Shreve, Crump & Low, and others, called for prosecution. Why? Because these men came over here and interested the people of Boston to the extent of buying jewelry, simply because they gave them an improved or better article than the Boston merchants offered. Now, remember that under the ordinance as it now stands—your ordinance, if I may use that term—these men can come in here and do a big business and not pay a nickel. They can show a diamond necklace for \$5,000 and up, and simply say, "This is a duplicate, only a sample, and if you want to buy it, while I cannot sell this to you now, I will send you the duplicate," and then they

can simply send not the duplicate but the original necklace, and you cannot prosecute. Here, however, is a chance for the city to get some revenue. If we wait for the Chamber of Commerce to improve conditions in Boston we will be a hamlet of about the size of Natick in fifteen years. You know it. They are absolutely dead. I know a man who came on here from Los Angeles with a proposition to buy at least a million dollars' worth of iron castings in Boston, and the Chamber of Commerce didn't take any interest whatever in the proposition. The man, who was an A1 member of the Los Angeles Chamber of Commerce,—and I might as well give his name, E. W. Hartmann, of the Hartmann Process,—came here, endeavoring to operate with the Chamber of Commerce, and they didn't give him any reception at all. He said, "Watson, I am leaving here. I am through with Boston and Massachusetts. I am sending an order today to Los Angeles for a million dollars, paying a cent more a pound. I wanted to deal with Boston, with the co-operation of the Chamber of Commerce, but all that I have met have lies in their hair." I said, "What do you mean by that?" "They are dead." Now, I have no quarrel with members of the Chamber of Commerce. Ninety per cent of them are all right, but the trouble is with the dead ones. They are the ones who spoil things. I know that you, councillor, are only selfish in your own particular interest, that is all. I know that you intend to do something for the city. Now, for heaven's sake, don't let it be said of us that one member of this Council, even though he is controlled by the Chamber of Commerce, voted against this proposition and went and sent word back to the merchants of New York that Boston, with its puritanical narrow-mindedness and interference, through a dead Chamber of Commerce, has driven this \$6,000,000 concern out of Boston. I am satisfied that they have been persecuted. They seem to have been the only concern that has been brought into court and that has been obliged to pay \$25. I am no lawyer, but I am satisfied that that ordinance is not constitutional, and I think lawyers of reputation will agree with me. It compels legitimate concerns to do something that is unnecessary. For heaven's sake, Coun. Hagan, I trust that you will make this unanimous. I don't think we want to be put in the position of taking this attitude not only towards merchants of New York, but also merchants, for instance, from Lynn and other cities in our own neighborhood. This is an ordinance which will be general in its application, which will affect a merchant from Lynn coming in with a first-class lot of shoes in competition with you, sir, requiring him to pay \$200 to do business, although the competition may be absolutely legitimate. I trust that the member will not think that I am harsh with him. I don't blame him a bit. He is in the Chamber of Commerce. It is the old story, of course. You like to be in harmony with your organization. But the trouble with many members of the Chamber is that they not only have lies in their hair, but have one in one hand and a pink in the other, all laid out in a nice box.

Coun. HAGAN—Mr. President, I will not attempt to answer the argument of the gentleman who has preceded me, as I think it would be a physical impossibility. I have listened to many wild and crazy statements emanating from that source, but his last statement is about as crazy and as wild as any that he ever uttered here.

Coun. WATSON—I have your goat, Henry. Coun. HAGAN—From the purely selfish standpoint, I want to tell you that it does not make any difference to me whether the ordinance is amended or thrown out and no ordinance exists. It would not make a particle of difference to me, individually. If I cannot meet competition I do not desire to be in business, and I am not seeking anything of a personal or selfish nature. I am trying to voice the sentiments of the great majority of the reputable merchants of Boston, who know something about business and who

know something about the conduct of business, and I am here to give voice to their feelings in the matter, to which you may pay attention or not as you may prefer. I am here to tell you that you are opening the doors to anybody to come in here, that it is going to result in bleeding the citizens of Boston by innumerable fake concerns, who will take advantage of the letting down of the bars, and that this Council is going to be responsible for that condition. Whether the Chamber of Commerce enters into it or not to my mind is unimportant, but I do think that the great majority of the members of the Chamber of Commerce are most careful to protect the public interests. I think most of them would agree that this is not in the public interest. So, eliminate the Chamber of Commerce from your mind, if you will, those of you who can, and there are some who can. There are others who cannot eliminate the Chamber of Commerce or the Good Government Association from their minds in deciding any question in this body. They are prejudiced against that body. I am asking those who will do so to weigh the reasons that should be considered in connection with this question, passing on the matter on its merits, giving no thought to the Chamber of Commerce. Give thought to the merchants of Boston, but give still greater thought to what you are doing to the citizens of Boston.

Coun. DONOGHUE—Mr. President, any words of mine after listening to the masterly oratory of Coun. Hagan on this proposition would be idle. I think he has presented to you as clean a case against the proposition as I have listened to since I have been in the Council. There was one thing that came out in the opposition to Coun. Hagan's argument—that even without this ordinance these people could come in here and, by showing a sample, go back to New York and send the original, and make the sale in that way. Of course, all of us know that that is not so. We all know that during the holiday season, when these people, either legitimate or illegitimate, are here, in dealing with the public they must have their goods on hand, because it is all a cash business around Christmas time and people are anxious, are in a hurry to buy goods, and are not going to wait for a concern to go back to New York or to send in other similar goods here. They want the goods when they see them, and they purchase them immediately and take them away. It is a cash business. If this concern spoken of so highly here today is a reputable concern of such magnitude, of \$6,000,000, why doesn't it come here and compete on the same basis that the Boston merchants compete with one another? Why should they be allowed to come in here a week or two before the Christmas holidays, in the holiday rush and, as Coun. Hagan says, take whatever ready money they can get away from Boston concerns, and then leave Boston and leave its people to stand the burden, causing during this week or two before Christmas a hardship upon our Boston merchants who are doing business here for the other fifty or fifty-one weeks in the year. Most of the sales of jewelry by Boston merchants are made at about Christmas time, or in the holiday season, and the rest of the year they are here, doing business legitimately, forming a part of our city life. I think we ought to do something which will result in our people purchasing from legitimate houses which are here every day in the year, and not at one short single season in the year. I think it is absolutely unfair to the merchants of Boston to allow these outside houses, whether legitimate or illegitimate, to come in here and, with the payment of \$200 or \$100, whichever it may be, in a week or two take whatever they can get and then get out. I say you are not giving the people of Boston a square deal, and I know that you are not giving the merchants of Boston a square deal. I hope the ordinance will be defeated.

Coun. FORD in the chair.

The ordinance as reported was passed, yeas 5, nays 4:

Yeas—Coun. Brickley, Ford, Lane, Moriarty, Watson—5.

Nays—Coun. Donoghue, Gilbody, Hagan, Walsh—4.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of October, 1922.

Report accepted; order passed.

MOTION PICTURE CENSORSHIP.

Coun. WATSON—Mr. President, the Executive Committee has for some reason overlooked the order which I offered in opposition to the motion picture censorship. I think that order should be recalled from the committee, I ask that that be done.

The Council voted to recall the resolution from the committee, as follows:

Resolved, That the City Council is opposed to the passage of the referendum that will appear upon the ballot to be voted at the state election, November 7, 1922, of the so-called "Motion Picture Censorship."

The resolution was passed, yeas 9, nays 0.

RELEASES BY CITY.

Coun. LANE offered an order—That his Honor the Mayor be and he hereby is authorized, in the name and behalf of the city, for a nominal consideration and by an instrument or instruments satisfactory in form to the Law Department, to release to George W. Meserve all its right, title and interest in lot No. 1 on Clifford street, and to Bessie Miller all its right, title and interest in lots No. 3 and No. 4 on Blue Hill avenue, in the Roxbury district, all as shown on a plan by C. H. W. Wood Company, dated November 6, 1900, and recorded with Suffolk Deeds, Lib. 2727, page 273, subject to all encumbrances, easements and agreements of record, if any, affecting said lots of land respectively.

Coun. LANE—Mr. President, I move that the rule be suspended and that the order be placed on its passage. This has come in today from the Law Department. It seems to be merely the case of a lost deed, and they want another deed. There is a flaw on that account, and the Law Department recommends the passage of this order.

The rule was suspended and the order was read once and passed, yeas 9, nays 0.

Assigned for fourteen days for final action.

EAST BOSTON DISTRICT COURT.

Chairman FORD, for President BRICKLEY, offered the following:

Ordered, That his Honor the Mayor be requested to instruct the Superintendent of Public Buildings to take immediate steps to remedy the unsafe, unsanitary and dangerous conditions at the East Boston District Court.

Passed.

GENERAL RECONSIDERATION.

Coun. WALSH moved a general reconsideration of all business transacted today, hoping that the same would not prevail. Lost.

Adjourned at 5.40 p. m., on motion of Coun. WATSON, to meet on Monday, November 13, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 13, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Hagan and Moriarty.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Eight traverse jurors, Superior Civil Court, Fifth Session, to appear November 20, 1922, viz.:

Ralph Hilt, Ward 6; Michael J. Croke, Ward 7; David J. Hickey, Ward 7; Walter N. Buffum, Ward 8; Bernard A. Fay, Ward 16; Abraham Goldberg, Ward 21; Fred A. Edenberg, Ward 24; Niles W. Jorgensen, Ward 24.

VETO—MOTOR BUSES, EAST BOSTON.

The following was received:

City of Boston,

Office of the Mayor, November 6, 1922.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the petition passed by your honorable body under date of October 30, 1922, granting a license for the operation of two motor buses on Bennington street, East Boston.

The Boston Elevated Railway Company has today in operation five-cent fare zones on some ten lines and it is desirable that this extension be continued until it may ultimately become the prevailing rate of fare on the entire system.

The granting of the proposed bus franchise in my opinion, might prove an entering wedge, which, while not injurious in the proposed case, might be exceedingly destructive to the movement for a five-cent fare, provided the policy it is here proposed to inaugurate be followed elsewhere.

Respectfully,

JAMES M. CURLEY, Mayor.

Referred to the Executive Committee, on motion of Coun. WATSON.

VETO—TRANSIENT VENDORS' LICENSES.

The following was received:

City of Boston,

Office of the Mayor, November 6, 1922.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the ordinance passed by your honorable body under date of October 30, 1922, concerning transient vendors' licenses.

The adoption of this ordinance would legalize the business of itinerant vendors devoid of responsibility to the public with whom they may have dealings and who, because of the very nature of their business, would enjoy an advantage over legitimate concerns who conduct their enterprises during a full twelve months' period and whose property represents taxable income to the city in addition to providing employment for inhabitants of the city.

Recognition through legalizing by ordinance, as it is proposed, merchants not only whose goods but whose character may be questionable is an injustice to legitimate concerns and, in my opinion, should not only be discouraged, but, if possible, permanently prohibited.

Respectfully,

JAMES M. CURLEY, Mayor.

Coun. WATSON—Mr. President, before that matter is placed on file I desire as a matter of record to say a word. I do not hesitate to disagree with the Mayor at any time when I think he is wrong, even though perhaps I am not backed up by any considerable number in my view. I regret exceedingly that his Honor before vetoing that

ordinance failed to consult with those who favor it. I don't think he could have known when he vetoed it that under the pending ordinance the City of Boston has received not one cent in revenue, and there have been just as many fly-by-night concerns doing business in Boston as there would have been if we had no ordinance whatsoever. I don't think the Mayor knew that there had been but one prosecution, and that unsuccessful, under the old ordinance, and that the Retail Board of Trade branch of the Chamber of Commerce, while they are making a lot of noise, shooting guns and throwing rockets in the air, are doing absolutely nothing to protect the purchasing public of Boston. I have enough confidence in the Mayor's judgment to know that if he knew all the circumstances he would not have vetoed the ordinance. Furthermore, I believe he would not have vetoed it if he knew that the propaganda in opposition to the proposed ordinance came from a fly-by-night organization, like the organization behind these drive movements. They come here to Boston and organize a bigger, better, busier business organization to protect the public from being robbed by these unreliable and criminal outsiders, but the fact is that today there are in Boston concerns called legitimate that are doing an illegitimate business advertising with great flourishes in the newspapers, saying for instance, that they will sell an upright Chickering piano in A1 shape for \$50, things that on the face of them mean positive highway robbery, and that certain markets in Boston advertise choice cuts of beef at 22 and 23 cents a pound, when you can't buy dog meat for that. I think if the Mayor knew that those behind the propaganda against this proposed ordinance were simply fly-by-night people, who come here and carry out work on a pro rata basis, he would have taken a different stand in the matter. In the same way, taking the great drives, while he probably does not know this, there is an organized movement through a chartered organization, which started out on the Pacific coast, and which has worked east as far as Eastport and north to the Canadian line. They organize these drives and carry them through on a 25 to 30 per cent revenue basis—getting it in advance, too. The public furnish the money, but they get their payments forthwith. The action on this matter is unfortunate. The Mayor knows me well enough to know that, irrespective of friendship, political or personal, when I disagree with him I don't hesitate to say so. I regret exceedingly that the facts were not more generally known in connection with the presentation here by a member of the Board or letters from business men. The fact was that many of those who signed the letters did not know the purport of the proposed change in the ordinance and did not know the meaning or force of the present ordinance. I knew that. I interviewed seven of those men. They had received a communication from Mr. Greene, who has come into this city from outside representing a so-called better business organization here, and there was also a man named Peters, who lives in Needham and who is secretary of the Retail Board of the Boston Chamber of Commerce. They both refused to state their salaries, and they were the men who were responsible for this propaganda through letters. I have here a letter given to me by Mr. Hagan, sent to him from Felix Vorenberg, indorsing Coun. Hagan's attitude on the proposed change of ordinance; but I am willing to wager that Mr. Vorenberg did not know that the present ordinance is absolutely null and void; that under it but one concern has been prosecuted, and that one of the highest and most responsible concerns in the United States; that no revenue has been received under the ordinance, while that responsible concern would have paid \$200 to do business here, which \$200 would have gone into our treasury and would have put us in a position where we could give an additional \$100 each to two laborers in our city, to say nothing of the amounts that would be received in all probability from a number of other concerns. I think the Mayor has erred simply because he did not give an opportunity to the proponents of the ordinance to be heard. Personally, I am of the same mind as before, that when Boston merchants cannot stand up shoulder to shoulder and face to face with outside merchants, goods for goods, they are not entitled to any of the best of it. What is the use of talking? Coun. Hagan made a very fine presentation of his side of the case, with his letters, but what I would like to have here would be the signatures, so that we could find out whether they really knew anything about the proposed ordinance and its effect. As I say,

I am satisfied that the Mayor has erred, and grievously erred, in not giving the proponents of the proposed ordinance an opportunity to be heard. I think it may be partly our fault through not asking that he give them such an opportunity, but I do think he acted rather hastily. I do think the merchants of Boston should get together and try to do something workable in this matter. We are now proceeding under an unworkable ordinance. While there seems to be a law on the statute books, nothing is done under it. The Retail Board of the Chamber of Commerce has never made any prosecutions, and with one or two exceptions nothing has been done and what has been attempted has been without effect. The fact is that at the present time, through misleading advertisements and one thing and another, the poor men and women of Boston are being robbed through columns of the papers, by criminal advertising by criminal and unreliable business men. Of course, the great body of the merchants here don't want that. But here is what happens. These men who are doing this sort of thing, men who advertise in this way and deceive the public will join and belong to the Retail Board of the Chamber of Commerce, pay their assessments each year, and you will find that they are not touched, while they get after other people. Of course, many will say that this is Jerry Watson's blather, that he tells these stories, and they will try to pass it off at that. But, Mr. President, there has got to be a reckoning in this fake business, in city, state and national affairs, as well as in business matters generally. The people are waking up. Last Tuesday showed it. LaFollette of Wisconsin, who has been abused worse than a criminal by the entire press of the United States, with a few exceptions, is returned to the United States Senate from Wisconsin by 200,000 plurality; Hiram Johnson of California has won by 200,000; Newberry has been repudiated by the election of Ferris in Michigan, the first Democrat elected to the Senate by the state of Michigan in fifty-odd years; they have repudiated DuPont in Delaware, both for the short and the long term; they have defeated Pomeroy in Ohio, a Democrat being elected. The people are waking up, and we may as well appreciate the fact. Republican leadership has gone, so-called reform leadership by organizations who are attempting reforms of others and not of themselves. That sort of thing has gone by the board. We know the dissatisfaction there is with the political situation, both in the Democratic and the Republican parties today, and the talk of a so-called new party. If business men don't change their methods, in two or three years from now there will be a brand new political party, which will supplant both the Republican and Democratic parties. Men like Borah, a Republican—I am a Democrat—men like LaFollette, men like Bayard of Delaware and like Zill of Washington, a Denioerat, like Johnson of California, will make the nucleus of a new party, and there will be a reckoning with the business men. The people of Boston are not getting a square deal from the merchants. There are honest people from the outside who will be glad to come here and give us the benefit of low prices on good goods, as against high prices on poor goods handled by some of our Boston men, and they are now to be denied an opportunity by an ordinance that has no effect as far as protecting the people is concerned. But outsiders will come in under that ordinance just the same, good and bad, and will dodge between the lines of this present ordinance, accomplishing what they wish, and the city will get no return from it. We would have an opportunity to put into the treasury of the city, in my opinion, at least \$10,000 under this proposed ordinance, besides having an ordinance that would be in the interests of our people. Now, Mr. President, \$10,000 is not a small thing in these days. I certainly very much regret that his Honor the Mayor has seen fit to veto an ordinance which, in my opinion, is much superior to the one in force.

The veto message of the Mayor was placed on file.

EXTENSION OF RENT AND HOUSING COMMITTEE.

The following was received:

City of Boston,
Office of the Mayor, November 13, 1922.
To the City Council:

Gentlemen,—Under the provision of chapter 555, Acts of 1920, as amended by chapter 357, Acts of

1922, a Rent and Housing Committee for the City of Boston was created.

At the time of the adoption of this legislation it was not anticipated that housing conditions would necessitate the continuance of the committee beyond a period of six months. However, the daily average of cases presented to the Rent and Housing Committee has been in excess of one hundred and it is desirable, in my opinion, that the tenure of the committee be extended.

I accordingly recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That an additional sum of \$1,500 be and the same hereby is appropriated from the Reserve Fund to provide for a further extension of the Rent and Housing Committee.

Referred to the Executive Committee.

TRANSFER FOR FIRE ANNIVERSARY.

The following was received:

City of Boston,
Office of the Mayor, November 10, 1922.
To the City Council:

Gentlemen,—I am in receipt of the inclosed request for transfer made necessary as a consequence of the observance of the semicentenary of the Boston fire, and I respectfully recommend the approval of the same by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$2,000, to the appropriation for Public Celebrations, \$2,000.

Referred to the Executive Committee.

TRANSFER FOR FINANCE COMMISSION.

The following was received:

City of Boston,
Office of the Mayor, November 2, 1922.
To the City Council:

Gentlemen,—I am in receipt of the inclosed communication from the Finance Commission requesting a transfer from B-23 to A-3.

The purpose of the transfer is to provide a check on inspection work that may be performed by any department of the city, and I recommend the approval of the same by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

The Finance Commission,
Boston, October 27, 1922.

Hon. James M. Curley,
Mayor of Boston:

Sir,—On account of certain unusual inspection work, which the Finance Commission is about to undertake and which was previously requested by your Honor, the commission desires to employ inspectors to be paid on its weekly pay roll from A-3, Unclassified Personal Service.

Will you therefore transfer from B-20, Expert and Architect, to A-3, in the Finance Commission's budget the amount of \$1,000 for this purpose, and oblige.

Very truly yours,
MICHAEL H. SULLIVAN, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Finance Commission:

From the appropriation for B-28, Expert and Architect, \$1,000, to the appropriation for A-3, Unassigned, \$1,000.

Referred to the Executive Committee.

TRANSFER FOR IMPROVEMENTS,
JAMAICAWAY.

The following was received:

City of Boston,

Office of the Mayor, November 3, 1922.

To the City Council:

Gentlemen,—I am in receipt of the accompanying communication from the Park Department and respectfully recommend the transfer therein requested.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

Park Department, October 17, 1922.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—You are respectfully asked to request the City Council to authorize a transfer of the sum of \$5,000 from the special appropriation, Park, Washington, Poplar, Ashland and South streets, Roslindale, to an appropriation for the laying of a permanent pavement and rebuilding of boundary wall on Prince street, Jamaicaaway, to care for the through traffic to Providence by way of Dedham. This money cannot be used for the purpose for which it was originally appropriated, as the work is all completed now with the exception of the laying of a foundation for a memorial tablet to be erected later, and for which a sufficient sum is retained.

Very respectfully yours,

JAMES B. SHEA, Chairman.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Park, Washington, Poplar, Ashland and South Streets, Roslindale, \$5,000, to the appropriation for Jamaicaaway, Improvements, \$5,000.

Referred to the Executive Committee.

VARIOUS DEPARTMENTAL TRANSFERS.

The following was received:

City of Boston,

Office of the Mayor, November 2, 1922.

To the City Council:

Gentlemen,—I am in receipt of the accompanying requests for transfers from the departmental appropriation of various departments and respectfully recommend the approval of the same by your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Assessing Department:

From the appropriation for A-1, Permanent Employees, First Assistant Assessors, 45 at \$1,500 per year, \$500, to the appropriation for A-3, Unassigned, \$500.

From the appropriation for B-2, Postage, \$300, to the appropriation for C-4, Motor Vehicles, \$300.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Boston Sanatorium:

From the appropriation for A-1, Permanent Employees, Assistant Farmers or Laborers, 7 at \$600 per year, \$399.15, to the appropriation for A-2, Temporary Employees, \$399.15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Collecting Department:

From the appropriation for A-1, Permanent Employees, Clerks, 2 at \$1,400 per year, \$500, to the appropriation for D-2, Food and Ice, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees, Physicians, 3 at \$38.89 per week, \$280; Physicians, 7 at \$29.17 per week, \$274.29, to the

appropriation for A-1, Permanent Employees, Hospital Employees, 9 (10) at \$40 per week, \$534.29.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Licensing Board:

From the appropriation for B-35, Fees, Service of Venires, etc., \$200, to the appropriation for B-8, Light and Power, \$200.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriation for Street Laying Out Department:

From the appropriation for A-1, Permanent Employees, Rodmen, 12 at \$1,200 per year, \$1,506.49, to the appropriation for A-1, Permanent Employees, Junior Engineers, 13 at \$2,000 per year, \$1,265.97; Senior Draughtsmen, 2 at \$1,760 per year, \$144.28; Rodman and Conveyancer, 1 at \$1,800 per year, \$39.42; Conveyancers, 2 at \$1,300 per year, \$56.82.

From the appropriation for A-1, Permanent Employees, Transitman, 1 at \$1,400 per year, \$350, to the appropriation for B-3, Advertising and Posting, \$100; B-4, Transportation of Persons, \$100; B-35, Fees, Service of Venires, etc., \$150.

From the appropriation for A-1, Permanent Employees, Transitmen, 23 at \$1,760 per year, \$600, to the appropriation for B-4, Transportation of persons, \$600.

From the appropriation for A-1, Permanent Employees, Junior Engineer, 1 at \$1,800 per year, \$236.71, to the appropriation for B-39, General Plant, \$236.71.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Central Office:

From the appropriation for D-1, Office, \$84, to the appropriation for B-2, Postage, \$25; B-13, Communication, \$5; B-35, Fees, Service of Venires, etc., \$4; C-4, Motor Vehicles, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Paving Service:

From the appropriation for E-2, Highways, \$3,125, to the appropriation for B-3, Advertising and Posting, \$25; B-15, Motorless Vehicle Repairs, \$250; C-13, Tools and Instruments, \$2,000; D-8, Laundry, Cleaning, Toilet, \$50; E-1, Building, \$750; E-10, Electrical, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Paving Service:

From the appropriation for Public Works Department, Paving Service, E-2, Highway, \$5,500, to the appropriation for Public Works Department, Sanitary Service, B-15, Motorless Vehicle Repairs, \$5,000; B-14, Motor Vehicle Repairs and Care, \$500.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Paving Service:

From the appropriation for A-1, Permanent Employees, Asphalt Plant Operators, 27 at \$4.50 per day, \$3,300; Mechanics, 4 at \$4-\$5 per day, \$2,175, to the appropriation for A-1, Permanent Employees, Firemen, 9 at \$4.50 per day, \$2,200; Cement Finishers, 8 at \$5.50 per day, \$1,100; General Foreman, 1 at \$2,500 per year, \$350; Foremen, 3 at \$2,000 per year, \$625; F-11, Workmen's Compensation, \$1,200.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Public Buildings Department, County Buildings:

From the appropriation for C-7, Furniture and Fittings, \$310, to the appropriation for B-10, Rent, Taxes and Water, \$310.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby

is authorized to make the following transfers in the appropriations for Public Buildings Department:
From the appropriation for A-1, Permanent Employees, Janitor, 1 at \$15 per week, \$90, to the appropriation for F-7, Pensions and Annuities, \$90.
From the appropriation for B-39, General Plant, \$65.78, to the appropriation for B-3, Advertising and posting, \$5; B-29, Stenographic, Copying and Indexing, \$60.78.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Superior Court. Criminal Session:
From the appropriation for B-4, Transportation of Persons, \$1,000, to the appropriation for B-33, Interpreters, \$1,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Jail:

From the appropriation for B-8, Light and Power, \$100, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$100.
Referred to the Executive Committee.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. William H. Martin, 34 East Dedham street, Boston, and E. H. Crutchfield, 8 Akron street, Roxbury, Weighers of Coal.
 2. J. C. Santis, 36 Bradford street, Boston, a Weigher of Coal and Coke.
 3. George B. Hall, 31 Appleton street, Atlantic, a Weigher of Goods.
 4. Michael J. Ryder, 571 Atlantic avenue, Boston, a Weigher of Goods.
- Laid over under the law.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

James Baia, for compensation for injuries caused by fire apparatus on Washington street, Brighton.
James J. Casey, to be reimbursed expense of repairing house drain at 20 Downing street.
Edna S. Chadwick, for compensation for injuries and for damage to clothing by a defect in highway at corner Huntington avenue and Forsyth street.
Joseph DeAngelo, for a hearing on claim on account of damage to automobile by city team No. 1019.

Nora Driscoll, for a hearing on her claim on account of a defect in Chapman street.

Epicure Club Bottling Company, for compensation for damage to truck by a defect at 90 Brunswick street.

Harris Freedberg, for compensation for damage by water at 362-368 Bowdoin street, Dorchester.

Alvina Gillis, for a hearing on claim for injury caused by a defect in sidewalk at 140 and 142 Harvard avenue.

John H. Glavin, for compensation for damage at 52 Austin avenue, by the shutting off of water.

James A. Goode, for a hearing on claim for injuries caused by a defect in highway at 62 Hillside street.

Robert J. Igoe, for a hearing on claim for injuries caused by a defect in highway at 62 Hillside street.

Joseph O'Neil, for a hearing on his claim for injuries caused by a defect in highway at 62 Hillside street.

Lawrence J. Weidman, for a hearing on claim for injuries caused by a defect in highway at 62 Hillside street.

Charlotte Gormley, for a hearing on her claim on account of a defect in highway at 526A Dudley street.

Carl Holmcrans, for compensation for damages at 5 Linden street by a leaky water meter.

William Howard, for a hearing on his claim on account of damage to automobile by city truck of the Water Division.

John F. Keefe, for compensation for damage to car by a projecting plank in Freeport Street Bridge.

Arthur McArthur, to be paid for a hedge at 38

Stratford street, West Roxbury, burned by city employees gathering and burning leaves.

Lawrence McGovern, for compensation for injuries caused by a defective plank in sidewalk at 34 and 36 Cherokee street.

Anna E. Murray, for compensation for damages at 75 Arborway caused by the bursting of water meter.

Frank M. Pease, for compensation for damage to car by a cart of the Sanitary Division.

Lizzie Pekin, for a hearing on her claim on account of a defect in Nashua street.

C. J. Peirce, for compensation for damage to property and for injuries caused by a plank in street in Huntington avenue, in front of the Boston Opera House.

Grace Townsley, for compensation for injuries caused by obstruction of sidewalk at corner of Sutherland road and Commonwealth avenue.

Anthony Tucci, for compensation for injuries caused by a hole in street at 217 Centre street, Jamaica Plain.

Westly Tyler, for compensation for injuries and for property damage caused by negligent operation of a Water Division truck.

L. A. Waterhouse, for compensation for water damages at 252 Congress street.

Mrs. T. I. Winsor, to be paid for furnace pipes at 60 Cheney street broken by ashes.

Mary Clayman, for compensation for injuries caused by a hole in street in Blue Hill avenue, near Morton street.

Thomas McGrail, for compensation for injuries caused by a defect in highway at corner Estey and Lawn streets.

Howard G. Lenz, for compensation for injuries due to a defect in the highway.

John J. and George McHatton, for compensation for damage to automobile by a defect in Meridian street.

J. Scott McLearn, for compensation for damage to automobile by a team of the Sanitary Division.
Mellin's Food Company, for compensation for injury to horse caused by an open manhole at 41 Central Wharf.

Minnie Schmidt, for compensation for injuries caused by a defective sidewalk, corner Huntington and Parker Hill avenues.

Ruth D. Taylor, for compensation for injuries caused by a hole in sidewalk at 14 Carson street.

Ralph E. Tibbetts, for compensation for damages to car by a city truck.

Sotie Tosi, for compensation for damage to wagon standing in front of 112 West Fourth street by fire apparatus.

Abraham Woldodofsky, for compensation for injury to horse by a defect in Blue Hill avenue.

Samuel Lebowich, *et al.*, for compensation for damage to car by a hole in highway opposite 901 Huntington avenue.

Executive.

Mary A. Duggan, to be retired under the provisions of chapter 765, Acts of 1914.

Norman Finard, for permit for children under fifteen years of age to appear at Symphony Hall on evening of November 26.

HEARING ON SCHOOL HISTORIES.

A communication was received from the School Committee stating that a hearing would be given on Wednesday, November 15, at eight o'clock p. m., relative to certain books in history in use in the public schools.

Coun. WATSON—Mr. President, for the information of the members I desire to say that the School Committee has already removed from use in the public schools the book of Prof. C. F. Ward, one of the books that we asked to have removed, and that there will be a hearing Wednesday next at eight o'clock p. m. on the question of removing the other two books. I want to say that I have received a letter which I think I should read at this time, as a matter of record. It is from the Patriot League for the Preservation of American History, and is signed by the organizing director, Charles Grant Miller. It is as follows:

November 10, 1922.

Hon. James A. Watson, Boston, Mass.:

My dear Mr. Watson,—I am delighted to have from you the good news that Ward's book has been thrown out of the Boston schools. This is a fine victory for you at the start.

Hart, because of his high connection at Harvard, will no doubt be harder to dethrone there, and Ginn & Co., publishers of the Muzzezy book, are strong with the Boston school authorities, I am told.

Your invitation to me to come up to the hearing next week is noted; but it looks just now as if I shall be unable to get away from here at that time. If possible, I will come. Any way, I should like to attend any later hearing.

There is now in press a new edition of the booklet, "Treason to American Tradition," which has been the effective document everywhere, because it gives direct quotations, with page references, etc., from all of the accused books. Copies will go to you as soon as they are ready.

With highest regard and best wishes,

Yours sincerely,
CHARLES GRANT MILLER.

I want to state that the Knights of Columbus, through their historical board and the state president of the Knights of Columbus, William C. Trout, Esq., representatives of the Spanish War Veterans, national and state, representatives of the G. A. R. veterans, national and state, the Americanization Bureau of the Veterans of Foreign Wars, through the chairman of the Americanization committee in the City of Boston, Mr. McDonald, and also the national organization through William C. Joyce of New York city, will be represented. The Legion will be represented, and many of the patriotic organizations—Sons of the Revolution, Daughters of the American Revolution, Descendants of the Signers of the Declaration of Independence, and others—will be present at the hearing Wednesday evening upon the question of the removal of these books. I want to say at this time that I realize the task that is before us. I realize the influence of Ginn & Co., publishers. The members will remember that the late Mr. Ginn founded a sort of perpetual peace organization, a peace foundation. He left a lot of money for it. But the organization which he was formerly the head of, which is doing business under his name is perfectly willing to print and distribute histories that are detrimental to the memory of the early patriots. I said at the last meeting that it might be considered by some who are unfriendly to me and those who don't know me that my purpose in talking here on the Edison light proposition and on this history matter and other matters that I consider call for reform, is for personal laudation. It is unfortunate that I cannot impress upon such people that that is not my purpose. My purpose is to waken the people up to the fact that there is something rotten in Denmark, both in the conduct of the public schools of our country, in the matter of permitting unAmerican histories and books in their index, and with regard to the influence of vicious, selfish corporations, such as the Edison and other public service corporations that are run, not as it was intended that they should be run under their charters granted by the Commonwealth, for the good of the public and also for the benefit of their stockholders, as a fifty-fifty proposition, but for the purpose of enriching the few at the expense of the many. My effort in this agitation, I want to tell you frankly, Mr. President and fellow members, has been pretty costly to me. I have been in business for some years, eight years with one concern, and six years as sales manager of another concern. I have actually lost in the matter of business, as a salesman and as a partner in the business, through loss of business contracts, \$80,000 because of my standing up and calling a spade a spade. So it has not been profitable to me from a financial standpoint, and I am only sorry that I cannot impress those who are unfriendly towards me and who are prejudiced as far as I am concerned, that my intention in talking here and taking the position I do is not for self-praise, self-laudation, or self-seeking, but in order to keep the fires going, fanning the smouldering flames of lethargy, in this movement to right wrongs that exist. You know this, fellow members, that when we are sleeping and when the great population is sleeping, not only in Boston but the country at large, the other men who represent special privilege are propagandizing all the time. When you hit a snake a blow with a stick and you walk away, thinking you have killed him, because he is apparently dead, you are quite apt to find you have not finished the snake. To do that requires several attacks with the stick or with the heel. Otherwise the snake crawls away and the work has

to be done all over again. Now, my purpose is to do all in my power to helping to kill the snake. I am propagandizing in my way, and I trust that next Wednesday night the public will prove to be as jealous of their Americanism during peace times as in war time. During the great World War, if one spoke in heat or anger, or even in a slightly disparaging way, of anything American, he was immediately brought up to the bar of the Federal Court and stood a chance of being interned, locked up during war time, or losing his citizenship. Now, that is very good and proper, but it is just as essential and proper to keep our eyes open and protect American institutions in peace times as in war times. Therefore, I trust that Wednesday night not only those whom I have mentioned will be at the hearing, but that the public at large will be well represented there, impressing upon the School Board by their presence at least the fact that they will not stand for unAmerican propaganda financed indirectly by the Carnegie foundations of libraries and pensions, the Cecil Rhodes foundations and the propaganda which is distributed through the late Lord Northcliffe, the editor of the "Thunderer" in London. It is all propaganda to bind America to England, and I am opposed, as one citizen of this country, to tying America up to any other foreign country. The doctrine laid down by George Washington and later indorsed by Monroe through the Monroe doctrine, is good enough for me. We don't want any entangling foreign alliances, don't want to be drawn into the meshes of such proposed alliances through the effect of propaganda on weak-kneed men in high office. I trust that my continued talk will have some effect. I am going to continue, any way. Every time I find something wrong in the literature which is given to our people, I am going to mention it. This is a public forum, and I am beginning to talk pretty well. I know that it does not please some officials, but I am going to go on with American propaganda until I get out. I will be here until the first Monday in February, and if the people use good judgement I will continue. I have no doubt that they will do so, as they always use good judgment concerning me. I am satisfied that we have got to keep up this pro-American propaganda, and my eight colleagues here are all standing shoulder to shoulder with me in favor of the removal from the schools of at least two books published by Ginn & Co., affiliated with the Carnegie foundation, and another book, I think published by the American Book Company, the book trust. There is a book trust as well as a beef trust, and it is represented by the American School Book Company and by Ginn & Co. I think I have said enough to impress upon my auditors the importance of appearing at the hearing and backing me up in my efforts.

The notice from the School Committee was placed on file.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Charles L. Perriello.

Approved by the Council.

NOTICE OF HEARINGS.

Notices were received from the Board of Street Commissioners of hearings on November 20 and 27 on petitions for storage, etc., of gasoline at various locations.

Placed on file.

SALARY OF PROBATION OFFICER.

Notice was received from the justice of the West Roxbury Municipal Court concerning salaries of probation officers of said court.

Referred to the Committee on County Accounts.

TRACK LOCATION.

Notice was received from the Street Commissioners of order granting track location on Washington street at Lotus place and Arborway, 18th location.

Placed on file.

NOTICE OF CONTRACTS.

Notices were received of interest in contracts, with city, viz.:

Matthew Cummings (Sinking Funds Commissioner).

Joseph F. Feeney (Overseer of Public Welfare).
Placed on file.

BONDS OF INDEMNITY.

Notices were received of bonds of indemnity, viz.:

George E. Babcock, contract for painting steel tank at Bellevue Reservoir.

George E. Babcock, contract for painting buildings at Chestnut Hill Reservoir and from Alonzo C. Dunbar on contract for painting water works buildings in Hyde Park.

Placed on file.

PAYMENT OF MONTHLY PAY ROLL.

Coun. WALSH offered an order—That the salaries of all city and county employees on monthly pay rolls be allowed and paid on or before December 22, 1922, in anticipation of the January draft; and the heads of departments are hereby requested to submit their pay rolls to the City Auditor in season to permit such payment.

Passed under a suspension of the rule.

GAETANO GIORGIONE SQUARE.

President BRICKLEY offered an order—That the space at the junction of Commercial and North streets be named Gaetano Giorgione square, in memory of said Giorgione, who was killed in action during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

JOSEPH J. GIOVANNANI SQUARE.

President BRICKLEY offered an order—That the space at the junction of Hanover, Richmond and Parmenter streets be named Joseph J. Giovannani square, in memory of said Giovannani, who died from wounds received during the World War while in the service of the United States, and that said space be suitably marked with signs:

Passed under a suspension of the rule.

SIDEWALK ORDERS.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along 75 Atherton street, Ward 15, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. WALSH offered an order—That the Commissioner of Public Works make a sidewalk along both sides of Saunders street, from Cambridge street to North Beacon street, Ward 25, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, with granite edgestones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

EDMUND B. ABBOTT SQUARE.

Coun. LANE offered an order—That the space at the junction of Harvard and Brighton avenues, Allston, be named Edmund B. Abbott square, in memory of said Abbott, who died in the United States service during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

LEASE OF CITY LAND.

Coun. GILBODY offered an order—That his Honor the Mayor be and hereby is authorized in the name and behalf of the City of Boston to execute and deliver to Dominick Morello of Boston, County of Suffolk and Commonwealth of Massachusetts, a lease of a lot of land consisting of about 960 square feet, being the land numbered 24 Warren avenue, in Charlestown district, said lot being located on the easterly side of said Warren avenue on the corner of Water street, for a period of ten years at a yearly rental of \$200, payable yearly in advance, reserving to the said city the right to terminate or cancel said lease by giving to the lessee, his successors in title or legal representatives thirty days' notice in writing of the city's intention so to do; said lease permitting said Morello to erect on said lot of land a building or structure to be approved as to its position on said lot and as to its height and construction by the Commissioner of Public Works of said city, the form of said lease to be approved by the Law Department of the City of Boston.

Referred to the Executive Committee.

ANNUITY FOR MRS. W. J. HENNESSEY.

Coun. FORD offered an order—That an annuity of \$600 be allowed and paid to the widow of William J. Hennessey, late a member of the Fire Department, who died from illness contracted in the performance of his duty, said payment to continue as long as said widow shall remain unmarried, and to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

RICHARD J. SULLIVAN SQUARE.

Coun. WATSON offered an order—That the space at the junction of Woodville street and Blue Hill avenue, Roxbury, be named Richard J. Sullivan square, in memory of said Sullivan, who died while in the United States service during the World War, and that said space be suitably marked with signs.

Passed under a suspension of the rule.

JURISDICTION AS TO TRACK LOCATIONS.

Coun. DONOGHUE offered an order—That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council as to whether or not the granting of track locations and extensions in the City of Boston comes under the jurisdiction of the City Council.

Coun. DONOGHUE—Mr. President, I merely want to say in connection with that order that it has recently come to the attention of the City Council that the agreement between the Elevated railroad and the city whereby the Elevated road was to pave between the tracks has expired. Whether or not any action has been taken since then, between the officials of the city and of the Elevated trustees, I don't know; but I think that previous to the incoming of the next legislature, in some manner or another, the city ought to protect itself in so far as having the Elevated attend to paving between the tracks is concerned. I understand that Chelsea street, over in Charlestown, has been paved, but that the expense of the same has been borne by the city. I feel that in connection with the granting of track locations and extensions to the Elevated by the Street Commissioners, before any further extensions or track locations are granted we ought to have some agreement with the road for the paving and repairing of the streets between the rails. I would like to get this opinion, because I understand that there has been some sort of decision at one time, rendered by former Corporation Counsel Babson, to the effect that the tracks constitute an obstruction. I personally do not feel that that ruling is right, and I would like to know how the present Corporation Counsel will rule on the matter. If the tracks are not in the nature of an obstruction, that will have an important bearing upon dealing with this whole question of the granting of locations, in my opinion, because I feel then that under the charter the City Council can and should retain

its control in the matter instead of its being delegated to the Street Commission. Further than that, I think the City Council has been rather lame, to use a slang phrase, in delegating their authority to various appointed boards, one particular instance to my mind being the matter of claims against the city. The procedure here has been of late, where a citizen brings a claim against the city, to refer it to the Law Department, when by right it should be heard by the City Council. We refer to the claim to the Law Department, and unless the person who has the claim against the city follows the matter up through an attorney or by running up to the Law Department every twenty-five minutes, the claim stays in the archives of the Law Department indefinitely. I don't think that is as it should be. I think each claim should be treated individually and in its turn, and I think the City Council is very weak in sending to the Law Department claims against the city. I think we are clected here for the purpose of taking care of the interests of the citizens. That is part of our job, and those claims that come before the City Council, instead of being referred without any investigation whatever to the Law Department, should in the future, in my opinion, be heard by the City Council, who can then make some recommendation in the matter. I believe, too, that a person who has not sufficient funds to hire a lawyer should be able to appear individually and have an equal chance of getting a fair show, instead of feeling that he must get in touch with some one who has influence with the Law Department. I think that those claims rest too long. I am told that unless some decided kick is made by a person who has a claim against the city, the case will never be taken up. I think the people are entitled to a fair deal, that any one who has a moral and legal claim against the city has a right to have that claim adjusted without being obliged to go to the expense of hiring an attorney.

The order was passed under suspension of the rule.

CROWDING OF STREET CARS.

Coun. DONOGHUE offered an order—That the Health Commissioner be requested, through his Honor the Mayor, to investigate from a hygienic standpoint as to the crowding of cars, both surface and elevated, by passengers, and to take whatever steps may be necessary to protect the health of the passengers.

Coun. DONOGHUE—Mr. President, I just want to say a word in connection with that order. For years there has been a great deal of agitation with regard to the overcrowding of both surface cars and Elevated trains, but nothing has ever been done by the Legislature in any way to relieve the intolerable conditions which always prevail, particularly during the cold weather months. The season is about to come upon us when Elevated trains and surface cars are going to be packed to their utmost capacity by the city, and people will be crowded and herded into those trains and cars worse than cattle are packed into freight trains. There are laws on the books saying that only so many cattle shall be allowed to be packed on a freight train, but there is no legislation I know of, and we have not been able to get any passed by the Legislature, to prevent the overcrowding of street cars and elevated trains. I think if we cannot get any legislation or any relief from the Legislature we have the remedy in our own hands, through the Health Department. I think the Health Department ought to station a health inspector in every one of those subway stations and see to it that only a certain number of passengers are allowed to be placed on any one of those trains and compel the trustees of the Elevated road to put more trains on. That is what we need, more cars and more trains. The service is intolerable, as it is, and is going to be a great deal worse unless something is done. I hope the order will pass.

The order was passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 3.25 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.22 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD for the Executive Committee, submitted the following, viz.:

1. Report on petition of Mary A. Duggan (referred today) to be retired under the provisions of chapter 765, Acts of 1914—recommending the passage of the following, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Mary A. Duggan, employed in the labor service of the City of Boston, in the Public Works Department.

Report accepted; order passed.

2. Report on petition of Norman Finard (referred today) for permit for children under fifteen years of age to appear at Symphony Hall, evening of November 26—that a permit be granted.

Report accepted; permit granted on the usual conditions.

3. Report on message of Mayor (referred today) vetoing licenses for operation of motor buses in East Boston—that the same be placed on file.

Report accepted; message placed on file.

4. Report on message of Mayor and order (referred today) for transfer of \$2,000 from Reserve Fund to Public Celebrations—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

5. Report on message of Mayor and orders (referred today) for various department transfers—that the orders ought to pass.

Report accepted; orders passed, yeas 7, nays 0.

6. Report on message of Mayor, communication and order (referred today) for transfer of \$5,000 to Jamaicaway, Improvements—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

7. Report on message of Mayor and order (referred today) for appropriation of \$1,500 from the Reserve Fund to the Kent and Housing Committee—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

8. Report on message of Mayor, communication and order (referred today) for transfer of \$1,000 for Finance Commission—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0.

TRANSFER FOR COURTHOUSE, FOREST HILLS.

President BRICKLEY called up No. 1, unfinished business, viz.:

1. Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Courthouse, Forest Hills, Site, \$5,000, to the appropriation for Courthouse, Forest Hills, \$5,000.

On October 23, 1922, the foregoing order was read once and passed, yeas 9.

The order was given its final reading and passed, yeas 7, nays 0.

RELEASE OF CITY LAND.

President BRICKLEY called up No. 2, unfinished business, viz.:

Ordered, That his Honor the Mayor be and he hereby is authorized, in the name and behalf of the city, for a nominal consideration and by an instrument or instruments satisfactory in form to the Law Department, to release to George W. Meserve all its right, title and interest in lot No. 1 on Clifford street, and to Bessie Miller all its right, title and interest in lots No. 3 and No. 4 on Blue Hill avenue, in the Roxbury district, all as shown on a plan by C. H. W. Wood Company, dated

November 6, 1900, and recorded with Suffolk Deeds, Lib. 2727, page 273, subject to all encumbrances, easements and agreements of record, if any, affecting said lots of land respectively.

On October 30, 1922, the foregoing order was read once and passed, yeas 9.

The question came on giving the order its final reading.

Coun. WATSON—Mr. President, I would like to know something about that order. I undoubtedly voted to pass it but would like to ask the Clerk to show me the papers connected with it. (The Clerk sent the papers which Coun. Watson examined.)

The order was given its final reading and passed, yeas 7, nays 0.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.38 p. m., on motion of Coun. DONOGHUE, to meet on Monday, November 20, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 20, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Forty traverse jurors, Superior Criminal Court, First Session, to appear December 5, 1922:

James J. Palmieri, Ward 2; Francis A. McCarthy, Ward 4; Charles J. McDevitt, Ward 4; Michael J. Bonner, Ward 5; Joseph Ganak, Ward 5; Frank Squillacioti, Ward 5; Robert S. Kilkelly, Ward 6; Herbert W. Moran, Ward 6; Charles J. Powers, Ward 6; Daniel Sullivan, Ward 6; Carl F. Backstrom, Ward 7; William E. Cunningham, Ward 7; Edward M. Fitzpatrick, Ward 7; Daniel A. Gallagher, Ward 7; Charles Stewart, Ward 7; Charles E. Bacon, Ward 8; James A. Dowd, Ward 9; Harry E. Corcoran, Ward 11; Frank G. Cressey, Ward 12; Ralph E. Doble, Ward 12; William B. Greenan, Ward 13; John F. Cass, Ward 14; Abraham H. Goldberg, Ward 16; John P. Hession, Ward 17; Patrick J. Coyne, Ward 18; Ernest R. Ericson, Ward 18; John J. Murphy, Ward 18; Morris Segelman, Ward 19; Henry C. Dwyer, Ward 20; George B. Grant, Ward 20; Louis A. Fisher, Ward 21; Harold M. Hatfield, Ward 21; Lawrence Kay, Ward 21; Michael J. Cadigan, Ward 22; Harold D. Bornstein, Ward 25; Walter C. Harris, Ward 25; Albert F. Higgins, Ward 25; Harold S. Neuhoff, Ward 25; C. Arthur Hellquist, Ward 26; Ivan H. Patnode, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear December 5, 1922:

Arthur E. Messer, Ward 1; Edward R. Sears, Ward 2; James P. Sharkey, Ward 2; Michael J. McCarthy, Ward 4; Jeremiah O'Leary, Ward 4; John Kennedy, Ward 5; George E. Burns, Ward 6; Thomas F. Conley, Ward 6; Eugene A. Dolan, Ward 6; Clifton L. Fortune, Ward 6; William J. Gilmore, Ward 6; Ingram B. Slocumb, Ward 6; Frederick B. Hilder, Ward 7; Clifford D. Thompson, Ward 7; Henry O. Lane, Ward 11; John J. O'Brien, Ward 11; Frank M. Silva, Ward 11; Hugh McNulty, Ward 12; John A. Morehouse, Ward 12; Robert A. Barber, Ward 13; Michael F. Beavis, Ward 13; Frank J. O'Toole, Ward 13; Thomas J. Coffey, Ward 14; James W. Nolan, Ward 14; Hyman Goldman, Ward 16; John E. Johnson, Ward 16; Joseph Keaney, Ward 17; Benjamin J. Klein, Ward 17; Joseph J. Curran, Jr., Ward 18; William P. Malone, Ward 18; John J. McDermott, Ward 18; Terrance F. Sheehan, Ward 18; Henry D. Orrok, Ward 19; John H. Gavin, Ward 20; Roland D. Brown, Ward 21; George R. Macdonald, Ward 21; William F. Kerrigan, Ward 23; Cyrus S. Bates, Ward 24; A. Garfield Davis, Ward 25; C. Cameron Smith, Ward 25.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear December 5, 1922:

William J. Stewart, Ward 1; Joseph G. Crafts, Ward 2; James E. Miller, Ward 2; Michael L. Moran, Ward 2; Hyman Zuker, Ward 3; John Gallivan, Ward 4; Charles Geneosa, Ward 5; Edward P. Sands, Ward 5; Raymond J. Farrell, Ward 6; Chester A. Powers, Ward 6; Hiram E. Wood, Ward 7;

Joseph W. Gaughen, Ward 9; Ambrose J. Cox, Ward 11; Augustin D. Brennan, Ward 12; James F. Moylan, Ward 12; Thomas Clinton, Ward 13; Roland H. Bailey, Ward 15; John E. Hanbury, Ward 15; Louis P. Lisotte, Ward 15; George T. Roberts, Ward 16; Daniel J. Foley, Ward 17; Nicholas J. Kelsch, Ward 17; Thomas V. McCue, Ward 17; Walter H. Watson, Ward 18; Max Simberg, Ward 19; Augustin John Benson, Ward 20; John J. Hurley, Ward 20; Martin T. Hession, Ward 21; Ernest F. Light, Ward 21; John Nordberg, Ward 21; Charles G. Fallon, Ward 22; Aloysius F. Halloran, Ward 22; William A. Wilson, Ward 22; Gustave H. Baasmer, Ward 24; M. Timothy Lennon, Ward 24; William E. Whitehead, Ward 24; Charles L. Whitney, Ward 24; Frank W. Buxton, Ward 25; Philip B. Heintz, Ward 25; Antone Linardy, Ward 26.

Forty traverse jurors, Superior Criminal Court, Fourth Session, to appear December 5, 1922:

Bernard N. McArdle, Ward 1; John H. McCarthy, Ward 1; John J. Jackson, Ward 2; Max Miller, Ward 2; William W. Rymill, Ward 2; Joseph White, Ward 2; William J. Jennings, Ward 3; John D. Bluet, Ward 5; William J. Franey, Ward 5; Philip Halpern, Ward 5; Walter Jacobs, Ward 5; William McIsaac, Ward 5; John J. Fay, Ward 6; Charles E. Josselynn, Ward 7; Arthur W. Porter, Ward 7; Alexander Smith, Ward 7; Nat A. Trask, Ward 10; Thomas H. Gordon, Ward 12; Frank E. Booker, Ward 13; John Fraine, Ward 14; Angus McNeil, Ward 14; Owen McNicholas, Ward 14; Humphrey P. Sullivan, Ward 14; Edwin Ferguson, Ward 16; Harry Sawyer, Ward 16; Aksel E. Larsen, Ward 17; William T. McDonald, Ward 17; Alfred U. Saunders, Ward 18; Lester S. Silverman, Ward 19; Nore A. Nordgren, Ward 20; Charles H. Rauskolb, Ward 20; Abraham Chapper, Ward 21; Charles Coulter, Ward 21; Myer Simon, Ward 21; Artilio A. Fopiano, Ward 24; Edward McCarthy, Ward 24; John D. Porter, Ward 24; Frank N. Tallman, Ward 24; John E. Comerford, Ward 26; Thomas M. Mullen, Jr., Ward 26.

APPOINTMENTS BY THE MAYOR.

The following was received:

City of Boston,
Office of the Mayor, November 20, 1922.
To the City Council:
Gentlemen,—Subject to confirmation by your honorable body, I appoint Daniel Shea, 202 Bennington street, East Boston, and Leslie Martin, 28 Concord square, Boston, Weighers of Coal and Coke for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.
Laid over under the law.

VARIOUS DEPARTMENT TRANSFERS.

The following was received:

City of Boston,
Office of the Mayor, November 20, 1922.
To the City Council:
Gentlemen,—I am in receipt of the appended requests for transfers submitted by the various departments and recommend the approval of the same by your honorable body.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Boston Sanatorium:

From the appropriation for A-1, Permanent Employees, Choremenn, 15 at \$240 to \$600 per year, \$1,400, to the appropriation for B-39, General Plant, \$1,000; G-2, Special Investigations, \$400.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Budget Department:

From the appropriation for B-2, Postage, \$6; D-1, Office, \$62.22, to the appropriation for C-9, Office, \$68.22.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for House of Correction:

From the appropriation for A-1, Permanent Employees, Officers, 36 at \$900 to \$1,200 per year, \$525, to the appropriation for D-1, Office, \$300; D-5, Medical, Surgical, Laboratory, \$100; D-13, Chemicals and Disinfectants, \$125.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Boston Almshouse and Hospital, D-2, Food and Ice, \$5,000, to the appropriation for House of Correction, D-2, Food and Ice, \$5,000.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Institutions Department, Child Welfare Division:

From the appropriation for B-17, Care of Persons, \$75, to the appropriation for D-8, Laundry, Cleaning, Toilet, \$75.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Sanitary Service:

From the appropriation for B-8, Light and Power, \$470, to the appropriation for B-1, Printing and Binding, \$200; B-3, Advertising and Posting, \$10; C-7, Furniture and Fittings, \$50; C-13, Tools and Instruments, \$200; C-16, Wearing Apparel, \$10.

From the appropriation for B-41, Horseshoeing and Clipping, \$500, to the appropriation for C-6, Stable, \$500.

From the appropriation for F-7, Pensions and Annuities, \$3,000, to the appropriation for F-11, Workingmen's Compensation, \$3,000.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Sewer Service:

From the appropriation for B-14, Motor Vehicle Repairs and Care, \$200, to the appropriation for B-6, Hire of Teams and Auto Trucks, \$200.

From the appropriation for E-13, General Plant, \$2,000, to the appropriation for E-5, Sewer, \$2,000.

From the appropriation for F-7, Pensions and Annuities, \$696, to the appropriation for F-11, Workingmen's Compensation, \$696.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Street Cleaning and Oiling Service:

From the appropriation for A-1, Permanent Employees, Laborers, Stablemen, Teamsters, etc., 418 at \$4 per day, \$5,677.24, to the appropriation for B-13, Communication, \$70; C-5, Motorless Vehicles, \$400; C-7, Furniture and Fittings, \$107.24; C-13, Tools and Instruments, \$1,000; D-4, Forage and Animal, \$2,500; D-11, Motor Vehicles, \$1,000; F-11, Workingmen's Compensation, \$600.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the follow-

ing transfers in the appropriations for Public Works Department, Water Service:

From the appropriation for A-1, Permanent Employees, Laborers, 191 at \$4 per day, \$2,000, to the appropriation for D-11, Motor Vehicle, \$2,000.

From the appropriation for B-27, Testing Materials and Supplies, \$1,100, to the appropriation for B-4, Transportation of Persons, \$1,100.

From the appropriation for F-7, Pensions and Annuities, \$2,100, to the appropriation for D-4, Forage and Animal, \$1,000; F-11, Workingmen's Compensation, \$1,100.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Registry Department:

From the appropriation for A-1, Permanent Employees, Clerk, 1 at \$700 per year, \$90, to the appropriation for A-2, Temporary Employees, \$90.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Suffolk County Courthouse, Custodian:

From the appropriation for C-7, Furniture and Fittings, \$792.63, to the appropriation for B-39, General Plant, \$792.63.

Ordered, that under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Election Department:

From the appropriation for A-1, Permanent Employees, Assistant Registrars, 20 at \$1,800 per year, \$91.16, to the appropriation for B-4, Transportation of Persons, \$91.16.

Referred to the Executive Committee.

TRANSFER FOR COURTHOUSE, FOREST HILLS.

The following was received:

City of Boston,
Office of the Mayor, November 20, 1922.
To the City Council:

Gentlemen,—The accompanying requests have been received from the Superintendent of Public Buildings for the furnishing and completion of the courthouse at Forest Hills and I respectfully recommend the adoption of the accompanying orders.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Office of Public Buildings Department,
November 18, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I wish to advise you that the new courthouse, Forest Hills, is nearing completion and inasmuch as there is no appropriation for furnishing same, I have requested the architect to submit a list of items covering this feature, which is as follows:

Furniture, including judges' and clerks' desks, stands, etc., all office furniture and all special furniture	\$12,125 00
Lighting fixtures.....	6,500 00
Window shades and copper screens.....	475 00
Rugs.....	500 00
Plumbing fixtures (mirrors, shelves, etc.).....	784 00
Architects' commission	1,223 04
	<u>\$21,607 04</u>

In consideration of the foregoing, I would suggest that an appropriation in the sum of \$22,000 be made.

Respectfully yours,
FRED J. KNEELAND,
Superintendent of Public Buildings.

Ordered, That the sum of \$22,000 be and the same is hereby transferred from Pay Roll Tailings, Account No. 1, to the appropriation for Furnishing and Completion of the Courthouse at Forest Hills.

Referred to the Executive Committee.

MONEY FOR NEW WATER MAINS.

The following was received:

City of Boston,

Office of the Mayor, November 20, 1922.

To the City Council:

Gentlemen,—I am in receipt of the appended requests for transfer, a major portion of which money transferred will be utilized for the purchase of new water mains and respectfully recommend the approval by your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
November 10, 1922.

To the Honorable the Mayor of Boston:

I respectfully request that an appropriation be made from Water Income to the following items in the appropriation for the Water Service:

From Water Income, \$1,184, to A-3, Unassigned, Overtime, \$1,184.

From Water Income, \$30,000, to F-12, Contracts for Construction, \$30,000.

Reasons for above transfers:

A-3, Unassigned, Overtime, the above amount is required on account of overtime of clerks in the Income Branch, Water Division, occasioned by necessary work in improvement of stencil and billing equipment.

F-12, Contracts for Construction, to care for completion of work now in progress of construction and on account of new extension of mains, the demand for which has very recently arisen.

Very respectfully,

JOSEPH A. ROURKE,
Commissioner of Public Works.

Ordered, That to meet the current expenses payable during the financial year, beginning with the first day of February, 1922, the sum of \$31,184 be and the same hereby is appropriated from the income of Water Service, Public Works Department, as follows:

A. Personal Service, Unassigned, \$1,184.

F. Special Items, New Mains, \$30,000.

Referred to the Executive Committee.

MONEY FOR POLICE STATION 2.

The following was received:

City of Boston,

Office of the Mayor, November 20, 1922.

To the City Council:

Gentlemen,—The Superintendent of Public Buildings, in a recent advertisement for the construction of the proposed Police Station 2, Milk and Sears streets, received bids ranging from \$498,000 to \$648,999, which bids it was necessary to reject owing to the fact that the total appropriation for this structure is but \$500,000, and the architects fees would approximate \$30,000.

The Superintendent of Public Buildings, in conference with the Police Commissioner and architects, advises that there are no items which can be eliminated while certain extra work may be necessary in order to complete the building.

I accordingly recommend the adoption of the accompanying order providing an additional appropriation of \$60,000, and also the adoption of an order providing for an additional transfer of \$11,000, a copy of which is herewith submitted, and making a total

available for the construction of Police Station 2 of \$571,000.

Respectfully,
JAMES M. CURLEY, Mayor.

Ordered, That the sum of \$60,000 be appropriated, to be expended by the Superintendent of Public Buildings, for the erection and completion of a new building for Police Station 2, and that the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness to said amount.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Police Station 2, Site and Plans, \$11,000, to the appropriation for Police Station 2, Building, \$11,000.

Referred to the Executive Committee.

LAND TITLE, BATH STREET.

The following was received:

City of Boston,

Office of the Mayor, November 20, 1922.

To the City Council:

Gentlemen,—I am in receipt of the appended order as draughted by the Corporation Counsel, the adoption of which is necessary in order to further the proposed building development at Post Office square, representing an investment of approximately \$4,000,000, and I recommend the approval of the same by your honorable body.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city and in form satisfactory to the Law Department, to sign such petition or other papers, and to take such steps as he may deem advisable to have registered in the Land Court of Suffolk County, the title to about seventeen hundred and eighty-six square feet of land, being the southerly portion of the strip of land now or formerly called Bath street, in Boston, leading southerly into Post Office square, and seventeen square feet of land adjoining the same at its southwesterly end, and bounded westerly on Post Office square. All is shown on a plan by Aspinwall and Lincoln, civil engineers, dated November 14, 1922, and to be filed in said Land Court.

Referred to the Executive Committee.

SOLDIERS' RELIEF COMMISSIONER'S SALARY.

The following was received:

City of Boston,

Office of the Mayor, November 20, 1922.

To the City Council:

Gentlemen,—The service rendered by the Soldiers' Relief Commissioner has been of such an exacting character and the results achieved by him of such value that in my opinion an increase in salary is warranted and I accordingly recommend the adoption of the accompanying amendment to the City Ordinances.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston.

In the Year Nineteen Hundred and Twenty-two. An Ordinance Concerning the Salary of the Soldiers' Relief Commissioner.

Be it ordained by the City Council of Boston, as follows:

Chapter three of the Revised Ordinances of 1914, as amended by chapter eight of the Ordinance

nances of 1920, is hereby further amended in the clause establishing the salary of the Soldiers' Relief Commissioner, by striking out the words "five thousand" and inserting in place thereof the words "six thousand."

Referred to the Committee on Ordinances.

SALE OF AMUSEMENT TICKETS BY SPECULATORS.

The following was received:

City of Boston,

Office of the Mayor, November 16, 1922.
To the City Council:

Gentlemen,—In conformity with an order adopted by your honorable Board under date of October 30, requesting the adoption of such regulation as may be necessary in connection with the licensing of theaters and public amusements to prohibit speculation in tickets where the same are sold on the premises at an advanced price as a consequence of collusion between the proprietor, manager or employee and speculators, I beg to say that a conference was held at the office of the Mayor at which the representatives of the various amusement enterprises were present and as a result of the conference I have recommended to the Corporation Counsel the draughting of such ordinance or regulation as may be necessary to prohibit the sale of tickets of admission by speculators to any theater or amusement enterprise.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Mrs. Freva I. Carey, for a hearing on her claim for injuries caused by a defect in the highway in Carson street.

Mrs. James B. Churchill, for compensation for injuries caused by a fall in City Hall Annex.

William Howard, for compensation for damage to automobile by a defect in Cambridge street, Allston.

Alice Connell, for compensation for injuries caused by a fall in Scollay square.

Mrs. Alice M. Connors, for a hearing on her claim for damages at 79 Preble street caused by the bursting of a sewer.

Mrs. Catherine Crowley, for compensation for damages at 37 and 39 Vaughan avenue by sewage.

Mary Finn Estate, to be paid for a gate to stable in rear of 632 Third street, destroyed by the team of a city ash collector.

William Howard, for compensation for damage to motor car, etc., caused by being run into by an emergency water truck at corner of Eliot street and Broadway.

Mary E. Hyman, for a hearing on her claim on account of a defect in highway at L and Fourth streets.

Louis Levine, to be guaranteed against expense on account of alleged error in statement of municipal liens.

Dr. E. C. Merchant, for refund of amount of bill for water at 129 Warwick street.

Alice G. Strain, for compensation for injuries caused by being knocked down by a horse and buggy owned by the city, on Albany street, at Northampton street.

Rose Ministro, for a hearing on her claim for injuries due to a fall at 6 Unity street.

Hyman Rosenberg, for a hearing on claim for injuries caused by a defect in Poplar street, near Spring street.

John J. Siminy, to be reimbursed for expense of repairing house drain due to the condition of the main sewer, at 32 Newcomb street.

John Walsh, for compensation for injuries caused by glass blown from a fire-alarm lamp at corner of Broadway and Dorchester street.

Millie Silverstein, for hearing on claim on account of defective sidewalk at 384 Harrison avenue.

James Murray, for compensation for injuries caused by defect in bridge between Yarmouth and Irvington streets.

Cecilia M. McCarthy, for compensation for injuries caused by hole in crosswalk on Border street.

Paul Wojcik, for refund of money paid for sewer assessment.

APPROVAL OF APPOINTMENTS.

Notice was received from the Civil Service Commission of approval of the following appointments by the Mayor to the Conservation Bureau, viz.:

M. Douglas Flattery, Harry N. Guterman, Harry H. Kay, Mrs. Alice C. Maloney, John J. Morgan, Dr. Sarah E. Palmer, Mrs. Francis E. Slatery, Mrs. Eva W. White.

Placed on file.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up Nos. 1 and 2, unfinished business, viz.:

Action on appointments submitted by the Mayor November 13, 1922, viz.:

1. J. C. Santis, William H. Martin and E. H. Crutehfield, to be Weighers of Coal.
2. George B. Hall and Michael J. Ryder, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Ford and Walsh. Whole number of ballots cast 6, yeas 6, nays 0, and the appointments were confirmed.

CAMBRIDGE STREET BRIDGE.

Coun. WALSH offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to inform the City Council as to the reason for the delay in building a new bridge over the tracks of the Boston & Albany Railroad Company on Cambridge street, Allston, said bridge having been closed for four years.

Passed, under a suspension of the rule.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of November, 1922.

Report accepted; order passed.

MONEY FOR SOLDIERS' RELIEF.

Coun. GILBODY offered an order—That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of three hundred dollars, said sum to be expended, subject to the approval of the Committee on Soldiers' Relief, by said commissioner in affording immediate relief to persons entitled to aid under chapter 79 of the Revised Laws and acts in amendment thereof and addition thereto.

Passed, under a suspension of the rule.

SIDEWALKS, NIXON STREET, DORCHESTER.

Coun. GILBODY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to locate edge-

stones and granolithic sidewalks in front of estates Nos. 47, 49, 51, 53 and 57 Nixon street, Dorchester, in conjunction with the work being now done on Centre street, as said estates are adjacent to the work now being done on Centre street.

Passed, under a suspension of the rule.

SIDEWALK, BLUE HILL AVENUE.

Coun. GILBODY offered an order—That the Commissioner of Public Works make a sidewalk along Blue Hill avenue, easterly side, from Morton street to River street, Wards 21 and 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of granolithic with granite edgestones under the provisions of chapter 196 of the Special Acts of 1917.

Passed, under a suspension of the rule.

INFORMATION CONCERNING CAMBRIDGE STREET.

Coun. WATSON offered an order—That the City Planning Board be requested, through his Honor the Mayor, to submit to the City Council, as soon as convenient, any information it may have, or contemplates, as to the widening of Cambridge street, and also plans, if any, as to the improvement of said street.

Passed, under a suspension of the rule.

PRINTING OF HEARING.

Coun. WATSON offered an order—That the report of the hearing before the School Committee on November 15, 1922, on the petition of the City Council for the removal of certain school histories from the schools be printed as a city document, the expense of same to be charged to the appropriation for city documents.

Passed, under a suspension of the rule.

REMOVAL OF "AMERICAN WARS" FROM LIBRARY.

Coun. WATSON offered an order—That the Library Trustees be requested to inform the Council what action has been taken on the request made to remove the book "American Wars" from library.

Coun. WATSON—Mr. President, some weeks ago we passed an order here requesting the School Committee to remove the book from the library. I haven't heard anything definite concerning it, and I think it is time we were informed. That is the book that Prof. Albert Bushnell Hart claims is unfit to be read, and I think when we take the position that it is unfit, and he agrees with us, it is pretty good evidence that it is unfit.

Passed under suspension of the rule.

RECESS TAKEN.

The Council voted at 2.57 o'clock p. m., on declaration of President BRICKLEY, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 3.52 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Reports on communications from Street Commissioners giving notice of hearings on

petitions for licenses to store gasoline, etc., at various locations—that the same be placed on file, viz.:

Communication (referred October 23), hearing at 11 a. m., October 30.

Communication (referred October 30), hearing at 11 a. m., November 6.

Reports accepted; communications placed on file.

2. Report on message of Mayor and order (referred today) to further proposed building development at Post Office square—that the order ought to pass.

The report was accepted and the order was given its first reading and passed, yeas 9, nays 0.

The order will take its final reading not less than fourteen days from date.

3. Report on message of Mayor and orders (referred today) for appropriations for Police Station 2—that the orders ought to pass.

Report accepted; orders passed, yeas 8, nays 1, Coun. Moriarty voting nay.

4. Report on message of Mayor and orders (referred today) for various department transfers—that the orders ought to pass, with the exception of transfers for the House of Correction.

Report accepted; orders passed, yeas 9, nays 0 (with the exception of transfers for the House of Correction, which were laid over until the next meeting).

5. Report on message of Mayor, communication and order (referred today) for appropriation of \$31,184 for new mains, etc.—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

6. Report on message of Mayor, communication and order (referred today) for transfer for furnishing and completion of courthouse, Forest Hills—that the order ought to pass.

Report accepted; order passed, yeas 9, nays 0.

NOTICE OF ELECTION.

Coun. Donoghue offered an order—That meetings of the citizens of this city qualified to vote for city officers be held at the several polling places designated for the purpose by the Board of Election Commissioners, on Tuesday, the twelfth day of December, 1922, to give in their votes for three members of the City Council, and for two members of the School Committee, and also to give in their votes "Yes" or "No" in answer to the following questions:

Shall the city petition for the installation of an accounting system by the Commonwealth?

Shall licenses be granted for the sale of certain nonintoxicating beverages in this city?

The polls at said meetings shall be opened at six o'clock a. m., and closed at four o'clock p. m.

Ordered, That the City Clerk be directed to give notice of said meetings by advertising the same as required by law.

Passed under a suspension of the rule.

PAYMENT OF WAGES TO PER DIEM EMPLOYEES.

Coun. HAGAN offered an order—That his Honor the Mayor be authorized and requested, in the name and behalf of the city, to petition the General Court for the enactment of such legislation as may be necessary to enable the city to pay the wages of laborers, and other employees who are on a per diem basis, for not exceeding thirty days in any one fiscal year, in case of absence on account of sickness.

Coun. HAGAN—Mr. President, I am going to ask a suspension of the rule for the passage of this order today, unless there may be

some objection to that action on the part of other members. If so, I will have no objection to having it go over until the next meeting. I am anxious, if possible, to see it pass today, for I want to have the matter receive proper thought and consideration on the part of the Chief Executive, so that the legislation asked for will be presented early to the incoming Legislature. This is a matter that has been talked about for a number of years. At budget hearings at various times and at Council meetings in the past few years it has been threshed out more or less, but there has been no action taken. At a recent hearing here, I think about the pension matter, the chairman of the Finance Commission was present and this matter was brought to his attention, and he agreed with members of this body that the system now in use and in existence was unfair. I don't believe the City of Boston means to be unfair to its laborers, but, nevertheless, in this case it has been so for all time, and it must continue that way until we have legislative sanction for changing the system. In past years I have tried to interest members of the Legislature in the matter so that they might take the initiative and present a bill there which might be enacted into law, so that it would have its effect here upon city officials. Again, I received promises but no action. I am trying to get action from proper authorities, this body and the Mayor of the city jointly, petitioning the Legislature for the enactment of this legislation which makes an unfair condition of things fair and equitable. Under the law as it exists today the head of a department getting \$9,000 a year, or any subordinate who is on a salary basis, who is out sick for a reasonable length of time is permitted under the law to draw his salary. It is not so with a man in the laboring divisions of the city, in janitor service, or any of those who draw down a day's wages. Unless they work, there is no pay. Of course, a laborer may be sick as well as the head of his department, and when he has a sick day off he needs the money even more than the head of his department. But the head of the department and others on a salary basis may under the law get thirty days' sickness. So I say that under proper restrictions, so that there will be no evasion and no abuse of the law, the same privilege now extended to heads of departments and to everybody on a salary basis should be extended by the City of Boston to those people who work for a daily wage. I am anxious to see this bill presented to the incoming Legislature early in the session, so that there will be no delay by reason of pressure of other affairs. If the Mayor of Boston takes kindly to this thought, as I think he will,—and I think so because I want to think so,—the bill can be presented immediately upon the convening of the Legislature. I feel confident that the members of this body, having all given their assent to the ideas in the past when this matter was considered, will have no objection to the passage of the order under suspension of the rule today. Therefore, I ask for suspension of the rule, if there is no objection.

Coun. WATSON—Mr. President, I heartily agree with Coun. Hagan in all he has said. I think this is a very proper order and I hope that it will pass unanimously under suspension of the rule. But I would like to ask him with regard to the other employees who are on a per diem basis. I would like to ask him if the employees on annual salary, when they are out for illness, receive a salary now?

Coun. HAGAN—I understand that all those on annual salary do receive a reasonable period of sick leave out of every twelve months. In the case of those who are on day wages, the list must be sent to the Civil Service Commission, and any head of a department who puts a man's name down on that list as hav-

ing worked when he is not working is making a false statement. The heads of departments hesitate about making false statements. Consequently, only those to whom great favoritism is shown can by any possibility get sick leave, no matter how urgently it may be needed and no matter how great the demands of the moment may be in the household. Does that answer the gentleman's question?

Coun. WATSON—Yes, provided I am assured of the ground for the statement he has made. I think—and I am only making a rough guess at it—that the matter of swearing to a pay roll by a civil service clerk applies to per annum as well as to per diem men. I think I am correct. I would like to know whether I am correct or not, but I believe I am. Now, there are clerks in the Public Works Department, in the paving yard and the sanitary yard, and in the Board of Health, who are on a per diem basis. We ought to take care of them as well as these others, not overlooking anybody. I will probably get information shortly. [Confers with an official present.] I have received information from a source which I consider very authentic, that per annum men clerks may receive a benefit or leave of absence because of illness upon the approval or permission of the head of a particular department. So Coun. Hagan is correct in his position concerning the matter. I am heartily in sympathy with his order, and I trust that some good will come from it. I believe that will be the case.

The order was passed under a suspension of the rule.

MONEY FOR STREETS AND SIDEWALKS.

Coun. GILBODY offered an order—That his Honor the Mayor be requested to recommend in the budget for next year double the amounts appropriated in the municipal year 1922 for new street and sidewalk construction.

Coun. GILBODY—Mr. President, I move a suspension of the rule that this order may be put upon its passage. This order is getting as early a start as Coun. Hagan's order. I think it is about time that something should be done in the matter. I think the members of the Council, who are daily being besieged by their different constituents in the outlying sections of the city to assist them in getting their streets laid out, will agree with me that we ought to attempt to double the appropriation this year, in view of the great number of streets in the outlying sections which need improvement and which are on the list over here in the Street Commissioners' office for acceptance. I think the idea is agreeable to the Mayor, because I hinted it to him some few weeks ago. I move a suspension of the rule, Mr. President.

(The order was read for the information of Coun. Donoghue.)

The rule was suspended and the question came on the passage of the order.

Coun. HAGAN—I would like to ask if Coun. Gilbody means the reconstruction of existing streets or the construction of new streets?

Coun. GILBODY—The acceptance of new streets.

The order was passed.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.08 o'clock p. m., on motion of Coun. GILBODY to meet on Monday, November 27, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, November 27, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair and all the members present.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Constables of the City of Boston: William J. Miller, 804 Washington street, Dorchester; John Prior, 83 Westland avenue, Boston; James V. Fallon, 219 Cabot street, Roxbury.

2. Augustus T. Canty and Forrest G. Wilder, both of 88 Broad street, Boston, to be Weighers of Goods.

3. Gilbert C. Jackson, 5 Everett court, East Boston, a Measurer of Grain.
Severally laid over under the law.

TRANSFER OF TITLE, BATH STREET.

The following was received:

City of Boston,

Office of the Mayor, November 27, 1922.

To the City Council:

Gentlemen,—I am informed by the Law Department that it is necessary that the accompanying order be adopted by the Council and approved by the Mayor to complete the transfer of title of property known as Bath street, and in view of the fact that the adoption of this order completes the preliminary steps necessary for the proposed \$4,000,000 realty development in the vicinity of Post Office square, I respectfully request adoption of the same.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That his Honor the Mayor be and he hereby is authorized and empowered in the name and behalf of the city, and in form satisfactory to the Law Department, to sign such petition or other papers and to take such steps as he may deem advisable to have registered in the Land Court for Suffolk County the title to about 1,813 square feet of land, being the southerly portion of the strip of land now or formerly called Bath street, in Boston, leading southerly into Post Office square, and seventeen square feet of land adjoining the same at its southwest end, and bounded westerly on Post Office square, all as shown on a plan of Aspinwall and Lincoln, dated November 23, 1922, and to be filed in said Land Court.

Referred to the Executive Committee.

VARIOUS DEPARTMENT TRANSFERS.

The following was received:

City of Boston,

Office of the Mayor, November 27, 1922.

To the City Council:

Gentlemen,—I have requested the various department heads to submit list of transfers that may be necessary in their departments so that the responsibility for transferring be properly placed. I am in receipt of the inclosed list which I recommend the approval of by your honorable body.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Institutions Department, Boston Almshouse and Hospital:

From the appropriation for D-10, Agricultural, \$550; D-8, Laundry, Cleaning, Toilet, \$200, to the appropriation for D-5, Medical, Surgical, Laboratory, \$750.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Municipal Court:

From the appropriation for D-1, Office, \$639.60, to the appropriation for B-1, Printing and Binding, \$639.60. From the appropriation for A-1, Permanent Employees, Special Justices, 4 at \$25 per day, \$265, to the appropriation for B-13, Communication, \$75; B-39, General Plant, \$40; C-9, Office, \$150.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Superior Court, Criminal Session:

From the appropriation for B-4, Transportation of Persons, \$125, to the appropriation for C-9, Office, \$125.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Medical Examiner, Northern District:

From the appropriation for A-2, Temporary Employees, \$10, to the appropriation for B-2, Postage, \$10.

From the appropriation for B-39, General Plant, \$16.85, to the appropriation for D-1, Office, \$16.85.

From the appropriation for C-17, Furniture and Fittings, \$30.28, to the appropriation for C-4, Motor Vehicles, \$30.28.

From the appropriation for C-12, Medical, Surgical, Laboratory, \$16.21, to the appropriation for D-11, Motor Vehicle, \$16.21.

From the appropriation for D-13, Chemicals and Disinfectants, \$11.25, to the appropriation for D-1, Office, \$11.25.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Soldiers' Relief Department:

From the appropriation for F-8, State and Military Aid, Soldiers' Relief and Burials, \$2,067, to the appropriation for A-2, Temporary Employees, \$1,800; B-4, Transportation of Persons, \$200; C-9, Office, \$52; B-39, General Plant, \$15.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Supply Department:

From the appropriation for B-27, Testing Materials and Supplies, \$1,260; D-1, Office, \$600, to the appropriation for C-4, Motor Vehicles, \$1,860.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfer in the appropriations for Building Department:

From the appropriation for A-1, Permanent Employees, Gasfitting Inspectors, 8 at \$2,000 per year, \$1,600, to the appropriation for C-4, Motor Vehicles, \$1,600.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Park Department:

From the appropriation for B-32, Towing, \$200; C-7, Furniture and Fittings, \$500; C-14, Live Stock, \$500; D-4, Forage and Animal,

\$1,000; D-8, Laundry, Cleaning, Toilet, \$800, to the appropriation for B-6, Hire of Teams and Trucks, \$3,000.

From the appropriation for E-1, Building, \$1,532, to the appropriation for B-14, Motor Vehicle Repairs and Care, \$550; B-37, Photographic and Blueprinting, \$82; B-39, General Plant, \$900.

From the appropriation for E-12, Parks and Recreational, \$4,150, to the appropriation for B-39, General Plant, \$500; D-13, Chemicals and Disinfectants, \$150; C-4, Motor Vehicles, \$3,500.

From the appropriation for F-7, Pensions and Annuities, \$1,000; F-12, Mozart Street Playground, Fence, \$1,100; E-12, Parks and Recreational, \$400, to the appropriation for F-12, Parkways, Resurfacing, \$2,500.

From the appropriation for E-12, Parks and Recreational, \$800, to the appropriation for F-12, Dorchesterway, Permanent Resurfacing, \$800.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Park Department, Cemetery Division, A-1, Permanent Employees, Laborers, 41 at \$4 per day, \$4,200, to the appropriation for Park Department, F-12, Dorchesterway, Permanent Resurfacing, \$4,200.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Park Department, Cemetery Division:

From the appropriation for A-1, Permanent Employees, Laborers, 41 at \$4 per day, \$720, to the appropriation for B-13, Communication, \$50; B-18, Cleaning, \$25; B-37, Photographic and Blueprinting, \$20; C-13, Tools and Instruments, \$200; D-1, Office, \$150; D-4, Forage and Animal, \$200; D-16, General Plant, \$75.

From the appropriation for A-2, Temporary Employees, \$171.87, to the appropriation for A-3, Unassigned, \$171.87.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Fire Department:

From the appropriation for D-3, Fuel, \$10,100, to the appropriation for B-2, Postage, \$100; B-13, Communication, \$125; B-14, Motor Vehicle Repairs and Care, \$2,800; C-7, Furniture and Fittings, \$2,000; D-5, Medical, Surgical, Laboratory, \$75; E-13, General Plant, \$5,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Health Department:

From the appropriation for B-17, Care of Persons, \$3,800, to the appropriation for B-1, Printing and Binding, \$300; B-2, Postage, \$300; B-14, Motor Vehicle Repairs and Care, \$200; B-39, General Plant, \$3,000.

From the appropriation for C-17, General Plant, \$200, to the appropriation for C-12, Medical, Surgical, Laboratory, \$200.

From the appropriation for D-2, Food and Ice, \$800, to the appropriation for D-5, Medical, Surgical, Laboratory, \$800.

From the appropriation for D-13, Chemicals and Disinfectants, \$50, to the appropriation for D-6, Library, \$50.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Public Works Department, Paving Service:

From the appropriation for E-2, Highways, \$47,700, to the appropriation for C-13, Tools and Instruments, \$2,700; C-4, Motor Vehicles, \$45,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to make the following transfers in the appropriations for Hospital Department:

From the appropriation for A-1, Permanent Employees, Physicians, 3 at \$38.89 per week, \$300; Physicians, 3 at \$35 per week, \$100; Physicians, 7 at \$29.17 per week, \$300; Physicians, 3 at \$23.33 per week, \$100; Clerks, 4 at \$20 per week, \$300; Clerks, 3 at \$19-\$20 per week, \$300; Clerk, 1 at \$7 per week, \$100, to the appropriation for A-1, Permanent Employees, Hospital Employees, Class A, not exceeding \$18 per week (25), \$1,500.

From the appropriation for A-1, Permanent Employees, Technicians, 3 at \$25 per week, \$400; Hospital Employees, 9 at \$33 per week, \$100; Hospital Employees, 2 at \$30 per week, \$1,000; Hospital Employees, 10 at \$28 per week, \$500; Hospital Employees, 4 at \$14 per week, \$500; Hospital Employees, 4 at \$20 per week, \$600; Hospital Employees, 4 at \$19.83 per week, \$500; Hospital Employees, Class C, not exceeding \$12 per week (210), \$400, to the appropriation for A-1, Permanent Employees, Hospital Employees, Class B, not exceeding \$15 per week (111), \$4,000.

From the appropriation for A-1, Permanent Employees, Hospital Employees, Class C, not exceeding \$12 per week (210), \$1,600, to the appropriation for A-1, Permanent Employees, Hospital Employees, Class D, not exceeding \$9 per week (130), \$900; Head Nurses, 50 at \$75-\$80 per month, \$700.

From the appropriation for A-1, Permanent Employees, Undergraduate Nurses, 190 at \$8.33 to \$16.67 per month, \$1,800; Carpenters, Painters and Plumbers, 16 at \$5 per day, \$300, to the appropriation for A-1, Permanent Employees, Head Nurses, 50 at \$75-\$80 per month, \$2,100.

From the appropriation for A-1, Permanent Employees, Carpenters, Painters and Plumbers, 16 at \$5 per day, \$200; Social Service Director, 1 at \$23.33 per week, \$100; Social Service Assistants, 8 at \$21.39 per week, \$500; Social Service Assistant, 1 at \$19.44 per week, \$200, to the appropriation for A-2, Temporary Employees, \$1,000.

From the appropriation for B-39, General Plant, \$6,000; D-16, General Plant, \$1,500; G-2, Special Investigations, \$500, to the appropriation for D-2, Food and Ice, \$8,000.

Referred to the Executive Committee.

TRANSFERS TO PUBLIC WELFARE DEPARTMENT.

The following was received:

City of Boston,

Office of the Mayor, November 27, 1922.

To the City Council:

Gentlemen,—The Overseers of Public Welfare have requested an additional appropriation in the sum of \$124,000, which, in their opinion, will be necessary to provide for the requirements under dependent's aid and mother's aid for the remainder of the fiscal year. The Soldiers' Relief Department, due in large measure to the establishment of the Municipal Employment Bureau and employment of a large number of World War veterans upon the transit extensions at East Boston, has sufficient balance on hand to make possible a transfer of \$72,000 from Soldiers' Relief to F-10, Mother's Aid, the remainder of \$52,000 to be transferred from the Reserve Fund.

I accordingly recommend the adoption of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Reserve Fund, \$52,000, to the appropriation for Overseeing

of the Public Welfare Department, F-9, Care of Dependents, \$52,000.

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Soldiers' Relief Department, F-8, State and Military Aid, Soldiers' Relief and Burials, \$72,000, to the appropriation for Overseeing of the Public Welfare Department, F-10, Mother's Aid, \$72,000.

Referred to the Executive Committee.

TRANSFER FOR PUBLIC CELEBRATIONS.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication received from the Director of Public Celebrations, requesting a transfer of \$2,500 from Conventions, etc., to the appropriation for Public Celebrations, and respectfully recommend the adoption of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

Director of Public Celebrations,
Boston, November 21, 1922.
Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—I herewith respectfully make application to your Honor for an additional appropriation through the City Council from the Reserve Fund of the sum of \$2,500, to be expended in accordance with the estimates accompanying this request.

Yours truly,
J. PHILIP O'CONNELL,
Director.

Estimate for \$2,500 Request.

Bill for moving pictures on Boston Common, November 12.....	\$485 00
Honorarium for Jeremiah Burke, July 4, unpaid.....	100 00
Mr. Flannery's bill for laying buoys, July 4, unpaid.....	15 00
Mr. Facey's printing bill.....	12 00
Extra stenographic assistance.....	100 00
Christmas, 1922	1,100 00
New Year's, 1922-23.....	500 00
Office stationery	200 00
	<u>\$2,512 00</u>

Director of Public Celebrations,
Boston, November 15, 1922.

CHRISTMAS, 1922.

At a meeting of the Public Celebrations Association, held Monday evening, November 13, tentative plans were made, subject to your Honor's approval, to conduct a more important and co-ordinated celebration of Christmas, on the night of December 24, than has heretofore been attempted. The particular effort in view is to gather together the large singing groups for general carol singing throughout the city, and to alternate their programs at the Parkman Bandstand between the hours of 10 and 12 p. m. in conjunction with a band. We also suggest that a specially designed and simple Christmas card, extending the season's greetings to all strangers in Boston at that time, be written especially by your Honor, and issued to all hotels to be placed in guests' rooms.

These are the main points, and the following estimate will indicate the rest of the program:

CHRISTMAS TREE—PARK DEPARTMENT.

Band	\$232 00
Mayor's cards	400 00
Fountain illumination	100 00
Placards	30 00

Movies	100 00
Incidentals	150 00
	<u>\$1,012 00</u>

Respectfully,
J. PHILIP O'CONNELL,
Director.

NEW YEAR'S, 1922-23.

It is proposed to repeat on Sunday evening, December 31 (New Year's Eve), the Christmas program, varying the singing program with band at Parkman Bandstand, and adding the proposed plan of radioing short messages throughout New England from the Mayor, Cardinal O'Connell, Bishop Lawrence, Rabbi Wise and prominent business men, extending heartening wishes for the new year.

Follows a rough estimate of expenditures:

Band	\$232 00
Placards	30 00
Radio and incidentals.....	250 00
	<u>\$512 00</u>

PUBLIC CELEBRATION EXPENDITURES FOR 1922.

(Not including Christmas and New Year's.)

Evacuation Day	\$6,768 51
Patriots' Day	2,572 37
Memorial Day	16,103 50
Memorial field service.....	1,750 66
Dorchester Day	849 15
Veteran Firemen's Day.....	447 00
Bunker Hill Day.....	5,891 09
July 4	19,935 39
Labor Day	2,684 25
Columbus Day	1,992 35
Office	1,000 00
	<u>\$59,994 27</u>

Ordered, That under authority of chapter 261 of the Acts of 1893 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Conventions, etc., \$2,500, to the appropriation for Public Celebrations, \$2,500.

Referred to the Executive Committee.

COMPLETION OF BRIDGE, ALLSTON.

The following was received:

City of Boston,
Office of the Mayor, November 27, 1922.
To the City Council:

Gentlemen,—I transmit herewith communication received from the Commissioner of Public Works in reply to the order passed by your honorable body with reference to the delay in completing the new bridge over the Boston and Albany railroad tracks at Cambridge street, Allston.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
Boston, November 24, 1922.

To the Honorable the Mayor:

I return herewith order of the City Council, relative to the reason for the delay in building new bridge over the Boston and Albany Railroad tracks at Cambridge street, Allston.

This contract was approved on June 22, 1922, and provided for completion by December 30, 1922. The Boston Bridge Works, immediately upon signing the contract, placed an order for steel with two companies—Carnegie Steel Company and the Bethlehem Steel Company—two of the best and biggest in the country, the total amount required being about 650 tons, of which only 196 tons have been received up to date in spite of every effort of the contractor to expedite delivery.

Similar conditions exist as regards the contract for Chelsea South Bridge. This delay is not so serious as the work of providing the foundations is progressing rapidly.

From information received, the principal difficulty in getting steel is the shortage of cars in the Pittsburgh district, which is very serious and particularly so since so many cars have been devoted to the perhaps more important service of shipping coal.

As the matter stands today it looks as though work on the Cambridge street structure cannot begin before February 1, 1923, as it will take at least two months for fabrication in the shop, after the steel is delivered, to have it ready for erection.

Yours respectfully,

JOSEPH A. ROURKE,

Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Rebecca Aronson, for compensation for injuries caused by a fall at 96 and 98 Bower street, Roxbury.

Helen Beane, for compensation for injuries caused by an open manhole cover in School street.

Mary E. Billing, for compensation for injuries caused by a fall on Warren street.

Boston Motor Transportation Company, Inc., to be paid for damage to truck by a defect in highway at corner Tremont and Ruggles streets.

Dennis A. Coffey, for compensation for damage to automobile by a defect in Chelsea street.

Harry E. Dykeman, for compensation for injuries caused by a defect in sidewalk at 66 West Dedham street.

J. H. Horrigan, for compensation for damage to wagon by an automobile of the Police Department on Washington street, Brighton.

Margaret Kelly, for compensation for injuries caused by a police patrol auto on Tremont street, Roxbury.

William J. McMahon, for compensation for damage to car on Dana avenue.

Margaret E. Mulligan, for a hearing on her claim on account of a defect in highway at 668 Centre street, on October 23, 1922.

Alice Paine, for compensation for injuries received on Boston Common on October 24, 1922.

Arthur R. Pillsbury, M. D., for compensation for damage to car by fire apparatus on Allston Railroad Bridge.

Hyman Rosenberg, for compensation for injuries caused by a defect at 47 Poplar street.

John F. Walsh, for compensation for damage to car by a city street sweeper.

Barnett Wiener, for injuries received while in the city bath house on Dudley and Vine streets.

Leonard Carapezza, for compensation for flooding of cellars at 11 and 13 Charter street, caused by excavation in street.

J. C. Pushee & Sons, for compensation for damage to property at 3 Randolph street, caused by a break in city main.

Robert Hottelmann, for compensation for injuries caused by being ill-treated by a policeman at the Dorchester Branch Library.

Thomas McGrail, for compensation for injuries caused by an excavation at Lawn and Estey streets.

Annie V. Lehan, for compensation for injuries caused by a hole in sidewalk at 56 Parsons street.

Arthur W. Chapin, for compensation for damage to automobile caused by car of Park Department.

Executive.

Petitions for children under fifteen years of age to appear at various places of amusement, viz.:

Madame Maybelle Lyman, Copley-Plaza Ballroom, December 18.

Amelia Burnham, Mechanics Building, December 18.

NOTICE OF HEARINGS.

Notice was received from the Street Commissioners of hearings on petitions for the storage, etc., of gasoline at various locations. Referred to the Executive Committee.

NOTICE OF CONTRACT.

Notice was received from Joseph P. Manning (City Hospital trustee) of interest in contracts with the Institutions Department. Placed on file.

DEDICATION OF AMBULANCE STATION.

A communication was received inviting the City Council to attend the dedication of the South Boston Ambulance Station on Tuesday, November 28, at four o'clock p. m.

Placed on file.

UNITED STATES HISTORIES.

A communication was sent to the City Clerk by the librarian of the Public Library with list and authors of United States histories in the Central Library and branches. (Annexed was list.)

Placed on file.

CLERK HIRE.

A communication was received from the Register of Deeds, in accordance with law, certifying that certain persons had been employed in his office from October 23 to November 27, and that work had been performed to the amount of \$8,747.45.

Approved and ordered paid.

LEGALITY OF USING MUNICIPAL BUILDINGS.

Coun. WATSON offered an order—That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council, at his earliest convenience, as to whether or not it is legal for veteran military and naval organizations in the City of Boston (composed of military and naval veterans) to use the various municipal buildings, at least once a year, for entertainments, dances, lectures, shows, etc.

Passed under a suspension of the rule.

SIDEWALK ORDERS.

Coun. WATSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the southeasterly side of Huntingtin avenue, from Gainsborough street to Greenleaf street, Ward 7, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. WATSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the southeasterly side of Huntington avenue, from Parker street to St. Alphonsus street, Ward 14, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

Coun. WATSON offered the following:

Ordered, That the Commissioner of Public Works make a sidewalk along the southeast-

erly side of Huntington avenue, from Longwood avenue to No. 652 on said street, Ward 14, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

COST OF WIDENING CAMBRIDGE STREET.

Coun. WATSON offered an order—That the Street Commissioners, through his Honor the Mayor, furnish the Council with the approximate cost of widening, etc., of Cambridge street, from Charles street to Bowdoin square, and Court street, from Bowdoin square to Hanover street, as proposed by the Planning Board.

Coun. WATSON—Mr. President, I move that that lie on the table until after the recess as I desire to have the Planning Board present to answer questions about it.

Referred to the Executive Committee.

INFORMATION ASKED AS TO ELECTRIC RATES.

Coun. WATSON offered an order—That the Law Department and the special counsel representing the city in the case of the City of Boston against the Edison Illuminating Company of Boston for a reduction in rates, etc., before the Public Utilities Commission, inform the City Council forthwith the status of the hearing in detail and what results have been obtained.

Coun. WATSON—Mr. President, I have waited a long time for the close of the hearing on the rate case on the part of the City of Boston against the Edison Company. At a former meeting I had Mr. Dwelley here, one of the experts employed by the city, and in a general way he told us why the delay in this rate case was made possible. He said that there was certain information asked for by the city's attorneys a long time ago, very, very important information, and that the Edison Company had failed to furnish that information up to the time he appeared here in the Executive Committee. He said that the attorneys for the city tried to get the Public Utilities Commissioners to compel the Edison Company to furnish information, but they didn't show any particular interest in hurrying up the hearing a particle. That may be the reason for the delay. It is true that there has been a reduction in rates voluntarily made by the Edison Company of about 17 per cent. It is true that the \$110,000 we have appropriated has brought results in a minor way, and I am satisfied that if we continue the result finally will be that we shall get electricity for at least 7 cents per kilowatt hour in Boston to the consumer. Even that is a high price as compared with the prices in other large cities. I have no intention today of dwelling at any length on the advisability or practicability of the city entering into the lighting of its own streets and furnishing the public with electricity. My information and my opinion is that not only is it possible and practicable to do it, but that it would be a great benefit to the public. But it does seem to me that the Edison Company, with its powerful ramifications and its ability to do things in a very substantial way, has been able to stop and retard any movement along the line of public ownership of the Edison Company. My purpose today is twofold in introducing this order—first of all, to try to keep awake or arouse from slumber the public concerning the encroachment upon the people's rights by the great public service corporations. It is unfortunate that I have to make this statement two weeks before election, because it will be misconstrued by many people. Those who know me will not question my motives, but those who are per-

haps not friendly to politicians or to public officeholders will say that it is a campaign speech. Be that as it may, conditions are such as to compel me to spread on the records of the Council a statement about conditions that should not exist. The members read in the Sunday papers that about five or eight weeks ago the Edison Electric Illuminating Company, that gigantic monopoly, appeared before the Public Utilities Commission and had a hearing upon their petition for additional capitalization, and that recently that petition has been granted. You will remember that years ago they were able to get legislation on Beacon Hill prohibiting the City of Boston from laying wires under the streets, under our own streets and into our own buildings, to serve electricity to ourselves or to those who might want to buy it from a city plant in the Annex. They succeeded in doing that because of their power. They are greater, more powerful, than the city. I have repeated that time and time again, and I am going to continue my agitation, whether I am re-elected to this body or not, and hope some time to see the day when Boston will be removed from the control and domination of these public service corporations. My purpose today is to keep what little interest there is awakened, so that people will understand their own danger. I am continually preaching this on the floor of the Council, wherever I go, in my own home and among my friends. The reason for the great unrest we see at the present time is because the public has become satisfied that the privileged class can get what they go after, although they are few in numbers, and that the many can get very little. That sounds like the talk of a firebrand, it sounds socialistic, but it is the absolute truth and cannot be denied. The few with influence can go and get what they want, and the many cannot. You can see it in this coal situation. Families with a large number of children in their homes have to fight to get a ton of coal from the Fuel Administrators, while right out through the Back Bay or in the influential suburbs you will see five, ten, fifteen and twenty-five tons of coal being dumped into a house of some one of financial standing. Now, we all have to face this question. The radical spirit is rife in the country. We desire to get away from the evil influences that have been handling our political affairs, that have been becoming stronger hourly. As a result, you can see the overturns in the recent election. LaFollette, a man who was going to be driven out of the country because of his attitude in the war, has been returned to the United States Senate from Wisconsin by 200,000 majority, even though the neighboring State of Minnesota had denied him the right to speak in public. Senator Newberry of Michigan has been compelled to resign from the Senate, and a Democrat has been elected in his place, for the first time in fifty years. Frazier, from North Dakota, has been elected. And so I might go along the line. Beveridge, a radical, was nominated and then defeated by a radical in Indiana. The king of reactionaries, Senator Lodge of our own state, has just been re-elected by an extremely narrow margin. The people want a change, and when they cannot get it through the Legislature, through their representatives, they lose faith in the country and go out and start radical movements of the rankest type. You read in the paper this morning about Debs, a sincere man, whose ideas do not agree with mine, but a man whose sincerity we cannot deny, a Socialist of the deepest dye. He was received in a hall by 4,000 people, and many were outside who could not get in, and he was cheered for an hour. By whom? By radicals, by people who feel that the ordinary man cannot get a square deal. So the whole story is this. This radical feeling, this unrest, this "so-called Bolshevik spirit, is brought about, fellow members, by reason of the lack of confidence of many in the future. The Public Utilities Commission, after having heard for a few days the petition of the Edi-

son Electric Illuminating Company for the right to issue 54,067 shares of stock, representing in round figures \$8,000,000, for the purpose of building a new plant in Weymouth, against the protest of the City of Boston, were permitted to issue that within less than four weeks of the hearing. But when it comes to a question of giving some reduction in rates so as to benefit the many rather than the few, the influential rather than the uninfluential, the hearing goes on and on without coming to a conclusion. What is happening in connection with this proposed issue of additional stock by the Edison Company. Let me tell you. Fifty-four thousand sixty-seven shares of stock are to be issued at \$150 a share, amounting to about \$8,110,000. Then what happens? The par value is \$100. That stock will be issued to the pets, the privileged few interested in the Edison Company. President Edgar gets \$60,000 a year. He is in the privileged class in that organization, and of course he benefits by this sort of thing. This stock is to be issued at \$150 a share, when the par is \$100. Not only that, it is issued at \$150 a share when the price in the market is \$176. That will mean \$26 profit for every single share that they buy. And outsiders cannot buy it. What do those figures mean? They mean that the \$26, the difference between the \$150 for which it is sold and the \$176 which represents its market price, will go to these specially favored few. That will amount in all to more than \$1,000,000. That is what the Public Utilities Commission does. The Edison Company wants to build a plant at Weymouth, and let me tell you something about that. I am told, and I believe I am right, and I don't think they will dare to deny it, that the contract for building the Edison plant at Weymouth has already been let without competition to Stone & Webster. There is the story—a little, close corporation, and this Edison Company not only sells electricity, but they are going to sell steam. The *Post* of Saturday said:

"The Edison Electric Light Company of Boston has gone into the steam heating business on a large scale. This winter the company will heat a big section of the business district of the city by steam."

That is, they are going to do this heating of buildings with the surplus steam from their plant. The first thing you know they will be in the meat business, in the grocery business, in other kinds of business. I am going to conclude by repeating this: For some time the people have been crying to get action before the Public Utilities Commission in the matter of the reduction of rates. Nothing doing! The attorneys for the city have been weeks and weeks trying to get information from the Edison Company, trying to prove their claims against the Edison Company by the company's own witnesses, and the Public Utilities Department will not compel them to furnish the information. But when the Edison Company goes there with a petition for the right to issue additional stock, they have the right given them to issue 54,067 shares of new stock at \$150 a share, netting \$8,110,000, giving a profit of \$26 a share to every one of those 54,000 shares sold by the Edison Company to themselves, because they will sell it to themselves. The public are not permitted to buy it, but it will be bought up by this little ring in the company. It will simply be a means for them to add millions to the millions they already have, God forgive them,—they cannot carry it with them,—but the Public Utilities Commission within four weeks after that petition is presented permits them to issue that stock, putting into the pockets of the favored few about \$1,200,000. They will buy the stock at \$150, when it is selling on the Stock Exchange at \$176. There is no getting away from that; it is as plain as the nose on your face. And the par value is \$100. I am going to say this, and it cannot be successfully denied, that the Edison Electric Illuminating Company, through the exorbitant charges to consumers of Greater Boston and of Boston in particular for elec-

tricity, is able to pay \$60,000 a year to its president, when they could get a man as good as he is for \$10,000. I don't believe any man who walks is worth more than \$10,000 on any company's pay roll. That is how socialistic I am. Ten thousand dollars ought to be the limit. They have got anywhere from 70 to 100 on the pay roll getting salaries from \$10,000 a year up to \$40,000 a year. There has been an effort to find out what their pay roll was, the salaries that are being paid, and it cannot be done. The Public Utilities Commission will not compel them to furnish the salary list, showing the salaries that are being paid. There are men receiving \$10,000 and more who do not appear on the pay roll at all, some traveling in Europe who are getting more than \$10,000 a year. Why? Because they are pets of the powers that be or pets of somebody on Beacon Hill, people whom they can reach when they need them. Then, they are paying out over \$400,000 a year in legal fees. I regret to say that, by the ability of the counsel of the company to delay and hold up the matter before the Public Utilities Commission, there is danger of the city being compelled to drop its case for lower rates, because I am afraid that the Mayor is getting discouraged because of lack of action on the part of our attorneys in the matter and may feel that he will have to shut it off. I trust and pray that he will not. I stand ready to vote every dollar that is necessary to bring the Edison Company to their knees. It may not mean a saving in great amounts to the people immediately, but in the course of ten years it will come back tenfold, and I only trust that the Mayor will see through their game and not be discouraged by this delay. Delay means nothing to them. They can spend \$100 against the city's dollar, and not feel it. I am afraid that the Mayor does not understand what they are up to. This delay is for the purpose of discontinuing a case, so that the consumers will not get lower rates. We have already saved \$800,000 by our agitation. They reduced the rate from 12 cents, not including coal and other charges, to 8½ cents, and if we win our case before the Board and there is a refund of the money paid under the coal clause by the city it will mean \$50,000 a year, which for four years will amount to \$200,000, and that added to the \$800,000 will mean we will save \$1,000,000. True, it will cost over \$100,000, but I hope and trust that the Mayor will not be discouraged by the lack of speed on the part of our attorneys in the case. The delay is not their fault, but the fault of the Public Utilities Commission and the Edison Company. They think that if they can delay the thing and delay it it will tire the other fellow out. I ask a suspension of the rule that my order may be put through at this time, and I do hope that my fellow members will not lose interest in this matter. It is vital. If we lose this case against the Edison Company, we will be worse off than when we started, because if they can beat us after the fight we have made we can never get started again.

The order was passed under suspension of the rule.

LEASE OF CITY LAND IN WEST ROXBURY.

Coun. FORD offered an order—That his Honor the Mayor be and he hereby is empowered for a nominal consideration to execute and deliver a lease to Fred P. Davis of 1,200 square feet of land on Washington street, in that part of Boston called West Roxbury, for a term of five years, reserving to the City of Boston the right to cancel said lease by delivering to said Davis, or his legal representatives, thirty days' notice of such cancellation; said lease to be satisfactory in form to the Law Department. No building is to be placed on said land except in accordance with plans approved by the Commissioner of Public Works as to the position of any build-

ing to be erected on said land and as to the construction of said building.

Coun. FORD—Mr. President, so that the Council will understand what the order means, I want to say that Mr. Davis is in the monument business in West Roxbury, Roslindale. He has a place of business on Washington street, just beyond Forest Hills. The land there is owned by the New York, New Haven & Hartford Railroad. He wanted to extend his little place, which is about as large as the enclosure inside these desks here, building a little shack or a somewhat larger building on the right of his present place of business, a small establishment. The land is owned by the New York, New Haven & Hartford Railroad. When he wanted to build he ran into this proposition, that Stony brook ran through there, and, of course, the City of Boston has some sewerage rights in Stony brook. He could not build this building without the City of Boston releasing its right or executing a lease, for a nominal consideration. The city has no real interest in the land at all, except in that easement for sewerage purposes. So the only thing he could do was to get in touch with the Public Works Commissioner. He was referred by him to the Law Department of the City of Boston. Mr. O'Malley handling the matter. I conferred with Mr. O'Malley last week, Thursday. Mr. O'Malley pointed out that he thought the proper thing to do was not for the city to release any rights at all, but to execute an instrument such as is suggested here, and Mr. Day agreed with him in that. Under it, if approved by the Mayor and the Council, he will have a right to erect a little building there satisfactory to the Public Works Commissioner; then if the city for any reason wishes the building to be removed, he will have to tear it down in thirty days. So the city is in full possession of all its rights. I thought I would make this statement to the Council to show that the city is not giving anything away. It is simply desired to give this man a chance to expand his little place of business in that place in a way satisfactory to the Mayor, the Public Works Commissioner and the Law Department of the City of Boston. So, if there are no further questions, I move a suspension of the rule so that the order may be passed and sent along to the Mayor.

Coun. WATSON—I understand that this is all agreed upon by the Public Service Commissioner, the Law Department and the parties in interest?

Coun. FORD—Yes, sir. I consulted the Mayor and he sent me to the Public Works Commissioner, and he sent me to the Law Department. I then consulted with a representative of the Law Department, Mr. O'Malley, and this order is the result of the conference with the three officials combined.

Coun. WATSON—Mr. President, I would not attempt to doubt what the gentleman states, but I prefer to look into the matter and to see the layout.

President BRICKLEY—Do you want it in Executive Committee?

Coun. WATSON—That will suit me. The order was referred to the Executive Committee.

LEASING OF CITY BUILDING.

Coun. FORD offered an order—That the Superintendent of Public Buildings, with the approval of the Mayor, be authorized to lease, for a nominal consideration, to the Major Michael J. O'Connor Camp No. 4, United Spanish War Veterans, the building at 456 and 458 West Fourth street, formerly the house of Ladder 5, to be used for a headquarters for said organization, on the condition that said camp will provide accommodations in said building for the members of Post 32, G. A. R., and Command No. 19, Union Veterans Union, satisfactory to the Superintendent of Public Buildings.

Coun. FORD—Mr. President, this is for the Spanish War Veterans, and I think the other veterans are going into the same building. It is satisfactory to the Superintendent of

Public Buildings, and being a military matter I think it should be passed under a suspension of the rule.

The rule was suspended and the order was passed.

TRIBUTE TO GENERAL EDWARDS.

Coun. GILBODY offered the following: Whereas, Maj.-Gen. Clarence R. Edwards will be retired this week from the military service of the nation; and

Whereas, This esteemed and beloved soldier and gentleman has been a potent force for good since he has made his headquarters in this city before and since the war, and has proven himself to be a foremost exponent of the military principles and ideals of America as commander of many of the youths of Boston on the battlefields of France in 1917-18, thereby endearing himself to the heart of each and every member of his command; be it

Resolved, That we, the members of the Boston City Council, on behalf of the men, women and children of our great city, do hereby express our sincere regret over the loss of his military service to our nation, state and city and extend to him the heartfelt thanks of the people of the city for said service.

Ordered, That the City Clerk send an attested copy of these preambles and order to Maj.-Gen. Clarence R. Edwards.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 3.06 o'clock p. m., on motion of President BRICKLEY, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.32 o'clock p. m.

Coun. HAGAN in the chair.

ORDINANCES.

Coun. HAGAN, for the Committee on Ordinances, submitted a report on message of Mayor and ordinance (referred November 20) increasing salary of Soldiers' Relief Commissioner—that the ordinance ought to pass.

Report accepted; ordinance passed.

COUNTY ACCOUNTS.

Coun. FORD, for the Committee on County Accounts, submitted the following, viz.:

1. Report on communication from justice of the Brighton Municipal Court (referred July 24) for retirement of court officer—recommending the passage of the following, viz.:

Ordered, That B. Franklin Sanborn, court officer of the Municipal Court of the Brighton District of the City of Boston, be retired in accordance with the recommendation of the justice of said court.

Report accepted; order passed.

2. Report on communication from justice of West Roxbury Municipal Court (referred November 13), fixing salaries of probation officers—recommending the passage of the following, viz.:

Ordered, That the salaries of Frank B. Skelton and Thomas H. Staples, probation officers of the Municipal Court of the West Roxbury District of the City of Boston, be fixed at the rate of \$2,200 and \$2,100 per annum, respectively, in accordance with the request of the justice of said court, both salaries to date from January 1, 1923.

Report accepted; order passed.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Reports on petitions (referred today) for permits for children under fifteen years

of age to appear at various places of amusement—that permits be granted, viz.:

Mme. Maybelle Lyman, Copley-Plaza Ballroom, December 18.

Amelia Burnham, Mechanics Building, December 18.

Reports accepted; permits granted on the usual conditions.

2. Report on message of Mayor and orders (referred November 20) transferring \$5,525 to appropriation for the House of Correction—that the orders ought to pass.

The question came on the acceptance of the report and the passage of the order.

Coun. MORIARTY—Mr. President, the commissioner when he was here said that he had \$5,000 there which could be transferred, that had been appropriated for an engine, and I felt that it would be better to allow him to transfer that money than to take away the \$5,000 from the food appropriation for Long Island. We have just taken action now on the Overseers of the Poor Department. They are going to spend \$1,434,000. We have given them two transfers within the last ten weeks. The doctor has appeared here today, and I think the percentage that he has figured on this appropriation is not a fair percentage, as forecasting the number of people that are possibly going to Long Island this winter. In this matter I feel that we should not figure on what somebody else may do if a certain emergency arises. It is not a question of what the Mayor or somebody else may do in such an event. I don't feel that we should put the Mayor in the position of having to take care of those people. We have already taken care of them in the budget, and I feel now that, having voted that money, it should stay in the budget. What do we find? We find that they have picked up a number of men and women in our city for using drugs. They have sent them to Deer Island and, in order to give those drug fiends better food than others, they are going to take away from the food of the unfortunates at Long Island. I am not taking the doctor's word for everything, although I have as much regard for him as anyone has; but we had another doctor down there, and we found by investigation of this Council that, notwithstanding his being a doctor, the place was walking, alive, and that the poor unfortunates there were mistreated in every way, even in the matter of their food, even in the matter of their bathing. Yet a doctor was in control at that time, and had been in control for ten years, developing a place which was the worst place within this country to which to send anybody. Well, they come along now and propose to take \$5,000 from money that we appropriated in the budget at the beginning of this year. The doctor who has come here today and who is now at the head of the department did not compile the budget that we passed this year, but I have information that the food that is being given to the inmates at Long Island today is not as good as was given them there last year. That information was given me since the last meeting, and that is my reason for not appropriating or transferring the money at the request of the doctor. I feel that if there are to be any favors extended as between the man who has contracted the drug habit and the poor unfortunate who is at Long Island, my sympathy is with the unfortunate at Long Island more than with the drug addict. Now, the doctor has said that they are not going to use the engine for which an appropriation was provided, that he has bought storage batteries and has no intention of using the engines. So there is \$5,000 there that he is satisfied to take for this purpose. As long as he has himself told the Council that he would be satisfied to take it and use it for this purpose, I believe we ought to take the doctor at his own word and allow the money in the food appropriation at Long Island to stay there. Certainly if we don't get the engine down there until next year nobody will suffer. In so far as percentages are concerned, the doctor tells us that the per-

centage going to Long Island has increased 9 per cent in the last nine months, where it should have decreased. If it has increased nine per cent in the last nine months, according to my way of looking at the matter, as we are approaching the time of year when the big increase comes—November, December and January—there will be a larger increase than 11 per cent. Still, as he has told you, he has only prepared to take care of that 11 per cent with the expenditure of \$5,000, and if there is more than 11 per cent, in his own words, he will not have money enough to take care of them. Where it is simply a question of making one out of two possible transfers, where there are two appropriations of \$5,000 each, either of which can be used, and one is for food and another for an engine that will not be supplied, I certainly have no question in my mind as to the transfer for which I want to vote. I feel that the money that was appropriated for the engine is the amount that should be transferred from the budget for this purpose. I hope the matter will be referred back to the committee.

Chairman HAGAN—The question is on the acceptance of the report and the passage of the order.

Coun. MORIARTY—Mr. President, I move recommit to the Executive Committee.

Coun. Moriarty's motion to recommit was declared lost.

Coun. Moriarty doubted the vote and asked for the yeas and nays.

The motion to recommit was lost, yeas 3, nays 4:

Yeas—Coun. Ford, Gilbody, Moriarty—3.

Nays—Coun. Donoghue, Hagan, Lane, Watson—4.

Chairman HAGAN—The question comes on acceptance of the report and passage of the order.

Coun. DONOGHUE—Mr. President, I simply want to say, in connection with this proposed transfer, that in my opinion it is merely a matter of bookkeeping, any way. If there is \$5,000 down there for an engine, and it can be transferred to food for the inmates of Long Island, if it becomes necessary at a later date to furnish more food in connection with the care of the inmates on Long Island, and the Commissioner of Institutions says that he wants the money that now stands for the engine transferred for that purpose, it can be done. My sympathies are with the unfortunates in both institutions, Deer Island and Long Island. I think we ought to provide enough money to take care of both classes of unfortunates, those who are afflicted with the drug habit and the other unfortunates as well. Now, certainly if this money is not provided for them by means of transfer, they are going to suffer at Deer Island. As I say, it is merely a matter of bookkeeping. Let us transfer either item: It is immaterial to me which transfer item we pass, as in any event we will have the other one to fall back on, anyhow. I simply want to vote to take care of the unfortunates in an adequate manner, the inmates of Deer Island and those of Long Island. While on my feet I wish to say a word in view of what has been said by the councillor opposite (Coun. Moriarty). He said that awhile back conditions on Deer Island were most deplorable, referring to another doctor. Let me say that I, after listening to the evidence at that time, differed with him then, and I differ with him now. It is merely a matter of personal difference of opinion between him and myself. He thought conditions were very bad in the institutions at that time, while I personally thought they were all right and other members of the Council thought as I did. I thought the move was more political than anything else.

Coun. MORIARTY—Mr. President, as long as conditions at Long Island have been brought out, I want to say that when we lifted a bed down there at Long Island at that time and let it drop, vermin dropped all over the floor. If my brother on the other side who now says that conditions then were

satisfactory to him had made the personal investigation I made he would have found out what I found out. I want to say to him that I made a personal investigation of conditions on Long Island, went through every room on Long Island, and that conditions were such there that they were unfit for cattle, let alone human beings. If that was satisfactory to other members of the Council, and if it was considered political, let me simply say that I am responsible for it and that I like to play that kind of politics. I want to say that the doctor there, Dr. Donlon himself, said in evidence, in answer to a question I put to him at Long Island, "Doctor, in what way can this island be cleaned up?" "By firing me and everybody else in power." That was his answer to my question. When he came here he tried to protect himself by the soldiers' preference act. The soldiers' preference act was put on the statute books for the purpose of taking care of worthy soldiers, and in view of his treatment of those at Long Island I could not see that he was a worthy soldier. I want to repeat that the evidence that I saw was evidence that I obtained through personal investigation of conditions on Long Island, and that that was what influenced me more than what was presented here in evidence.

Coun. DONOGHUE—I want to say further that I also personally investigated conditions at Long Island with other members of the Council, when we went down there. Of course, the only thing I could base my opinion on was what I actually saw myself. I did not see any of the conditions that Coun. Moriarty speaks of. Had I seen any such conditions my attitude would have been different, there is no question about that. But the conditions that I saw were all right when I saw them. Therefore, I felt that I should give the benefit of the doubt to the man in charge of the institution, because when I went there conditions were absolutely all right. Previous to that, of course, I don't know what happened. I do not doubt what Coun. Moriarty saw or what he didn't see, but my vote had to be governed by what I knew myself from my own actual observation. And when I spoke about political conditions I made no reference to any member of this body; but all of us know that political conditions, in so far as Dr. Donlon was concerned, had existed in that department for years. He had been fired and hired at least two or three times prior to my advent in the Council or that of Coun. Moriarty. I still feel that politics always existed, in so far as Dr. Donlon's conduct of the Long Island hospital was concerned.

The report was accepted and the order failed of passage (six votes being required for passage), yeas 5, nays 2:

Yeas—Coun. Donoghue, Ford, Hagan, Lane, Watson—5.

Nays—Coun. Gilbody, Moriarty—2.

Coun. Moriarty—Mr. President, I move a reconsideration.

Coun. FORD—Mr. President, I second the motion.

Reconsideration prevailed.

Coun. MORIARTY—Mr. President, I move recommitment to the Executive Committee.

Coun. FORD—Mr. President, I second the motion.

The matter was recommitted to the Executive Committee.

3. Report on order (referred today) to lease land in West Roxbury to Fred P. Davis—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0, Coun. Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty and Watson voting yeas.

4. Report on order (referred November 13) authorizing lease of city land on Warren avenue, Charlestown—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0, Coun. Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty and Watson voting yeas.

5. Report on message of Mayor and order (referred today) to register title of land on Bath street in the Land Court—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0, Coun. Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty and Watson voting yeas.

6. Report on order (referred November 13) for annuity to widow of William J. Hennessey, late a member of the Fire Department—that the order ought to pass.

Report accepted; order passed.

7. Report on message of Mayor and orders (referred today) for transfers of \$124,000 to the Public Welfare Department—that the orders ought to pass.

Report accepted; orders passed, yeas 7, nays 0, Coun. Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty and Watson voting yeas.

8. Report on message of Mayor, communications and order (referred today) for transfer of \$2,500, to Public Celebrations—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0, Coun. Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty and Watson voting yeas.

9. Report on orders and message of Mayor (referred today) for transfers in various departments—that the orders ought to pass.

Report accepted; orders passed, yeas 7, nays 0, Coun. Donoghue, Ford, Gilbody, Hagan, Lane, Moriarty and Watson voting yeas.

10. Report on order (referred today) for estimated cost of widening, etc., of Cambridge street—that the order ought to pass.

Report accepted; order passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, No. 1, viz.:

1. Action on appointments submitted by the Mayor November 20, 1922, of Daniel Shea and Leslie Martin, to be Weighers of Coal.

The question came on confirmation. Committee—Coun. Donoghue and Gilbody. Whole number of ballots cast 6, yeas 6, nays 0, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. DONOGHUE moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at five o'clock p. m., on motion of Coun. LANE, to meet on Monday, December 4, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 4, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Gilbody.

VETO—CITY EMPLOYEES' PAY DURING ILLNESS.

The following was received:

City of Boston,

Office of the Mayor, November 25, 1922.

To the City Council:
Gentlemen,—I beg to return herewith without my approval the order of your Board adopted under date of November 20, requesting that I petition for legislation which would enable the city to pay the wages of all employees on a per diem basis for not exceeding thirty days in any one fiscal year in case of absence due to illness.

I beg to state that all persons in the service of the city now enjoy a two weeks' vacation without loss of pay and likewise leave of absence on all holidays and Saturday afternoons without loss of pay. The adoption of the recent pension act which becomes operative in February provides a pension equivalent to nearly 40 per cent of the annual wages paid to all persons in the employ of the city when through physical disability or advancing years they become eligible for retirement. A guaranty of permanent employment, coupled with a protection against old age or physical disability and the privileges which are enjoyed by persons in the employ of the city, while rendering that service extremely attractive, has never been sufficient to offset the rule which requires that overtime work on the part of an employee receive additional compensation.

I am as greatly interested in the maintenance of a day labor system in the city service and as bitterly opposed to the introduction of the contract system as any member of the government, yet I recognize that the best way to safeguard the present day labor system lies in a refusal to impose additional obligations upon the taxpayer and thereby compel the substitution of the contract system with all its iniquities for the genuine and highly desirable American system which at present obtains.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

RELAYING OF WATER MAINS.

The following was received:

City of Boston,

Office of the Mayor December 4, 1922.

To the City Council:
Gentlemen,—I transmit herewith communication from the Commissioner of Public Works requesting an appropriation of \$200,000 from Water Income for Service Mains and Relaying Mains, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
December 4, 1922.

To the Honorable the Mayor:

In accordance with our policy of buying pipe-laying material for the next year's work in the Water Division, bids have been opened for furnishing and delivering water pipes and special castings for the distribution system, the low bid being \$184,266. From present indications, water income will have a surplus of \$310,000, more or less, and it is respectfully recommended that \$200,

000 be transferred from Water Income and assigned to an appropriation labeled "Service Mains and Relaying Mains," which was in operation for many years previous to May 1, 1919, and which becomes a "special" and will be carried over from year to year, a more desirable method of having money available for this purpose. If possible, this should be brought to the attention of the City Council at today's session so as to have the contract awarded as soon as possible.

The award of a contract for these materials at the present time, in accordance with our lately adopted policy of having all materials on hand ready for work at the beginning of the next season, and of placing this work in the foundries during the winter months, will mean a saving, in this particular instance, of \$20,000 for the city.

Yours respectfully,
J. A. ROUKE,
Commissioner of Public Works.

Ordered, That to meet the current expenses payable during the financial year, beginning with the first day of February, 1922, the sum of \$200,000 be and the same hereby is appropriated from the income of Water Service, Public Works Department, as follows:

Public Works Department, Water Service.
F. Special Items.
Service Mains and Relaying Mains... \$200,000
Referred to the Executive Committee.

PARKMAN FUND APPROPRIATIONS.

City of Boston,

Office of the Mayor, December 4, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the chairman of the Park Commission requesting an appropriation of \$27,530.01 from the income of the Parkman Fund for Improvements at the Aquarium, Zoological Garden and Franklin Park, and respectfully recommend the passage of the accompanying order.

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,

Park Department, December 1, 1922.

Hon. James M. Curley,

Mayor of Boston.

Dear Sir—At a meeting of the Board of Park Commissioners held on Friday, December 1, 1922, it was voted to request the City Council, through his Honor the Mayor to appropriate from the income of the George F. Parkman Fund, the sum of \$27,525 and such additional balance as may accrue this year for the following purposes:

Aquarium.....	\$10,000
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This amount is asked for the installation of a hard rubber salt water system, new pump, six glass exhibition tank fronts, and the expenses for a fresh water fish exhibition, to be obtained from Pennsylvania and Detroit, and general repairs needed at the Aquarium. The pipes of the present water supply system are so corroded that it is doubtful if they will last during the winter.

Zoological Garden.....	2,525
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This amount is asked for the purchase of animals badly needed.

Franklin Park, Resurfacing roads.....	15,000
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This amount is needed to complete the work already started, of opening up the drive through Franklin Park from Forest Hills street to Columbia road, and is necessary on account of the proposed widening from 30 to 40 feet, to permit of motor traffic.

The additional income that will remain may be added to this item.

Very respectfully yours,
JAMES B. SHEA, Chairman.

Ordered, That the sum of \$27,530.01 be and hereby is appropriated from the income of the Parkman Fund, to be expended under the direction of the Park Commissioners, for the maintenance

and improvement of the Common and parks in existence on January 12, 1887, as follows:

Aquarium, Improvements, etc.	\$10,000 00
Animals, Birds, etc.	2,525 00
Franklin Park, Reconstructing Roads, etc.	15,005 01
	<u>\$27,530 01</u>

Referred to the Committee on Parkman Fund.

SIDEWALKS, NIXON STREET.

The following was received:

City of Boston,

Office of the Mayor, December 4, 1922.

To the City Council:

Gentlemen,—I transmit herewith communication from the Commissioner of Public Works, same being a reply to the order passed by your honorable body on November 20, 1922, with reference to the laying of edgestone and construction of granolithic sidewalks in front of Nos. 47 and 49, 51 and 53, and 57 Nixon street, Dorchester.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,
Public Works Department,
November 24, 1922.

To the Honorable the Mayor:

In reply to the attached order of the City Council relative to locating edgestones and granolithic sidewalks in front of 47 and 49, 51 and 53 and 57 Nixon street, Dorchester, in connection with the reconstruction of Centre street and Centre avenue. It is not customary to go into side streets in connection with work done on main highways where sidewalks are included with the roadways for resurfacing. The way these sidewalks, as requested, would be built is to have a lien order passed by the Council and the work included within the \$50,000 appropriated for such work each year. At the present time this \$50,000 is either expended or contracted for, and it would be unfair to requests refused on account of lack of money to favor the locations on Nixon street, which request reached this office only at the end of the season.

A similar case where sidewalks were extended up a side street occurred in connection with a contract in Brighton, which included Bentley street. This work was paid for by the abutters and a rebate of 9 cents a square foot given the contractor by the city.

Yours respectfully,

J. A. ROURKE,

Commissioner of Public Works.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Walter Atherton, trustee of estate of Samuel Atherton, for compensation for damages by water at estate 186 Franklin street and 41 Pearl street.

Nathan Promberger, for compensation for damage to truck by a team of the Public Works Department.

Pasquale Carboni, for compensation for damage by water at 94 Prince street.

A. DiLucca Company, to be paid for damage and for extra expense incurred on its contract for sewerage works in Mt. Vernon street.

Lena Hanlon, for compensation on account of the shutting off of water at 68 Carver street.

Madeline Hutchinson, to be paid for a fur coat torn by a police officer's horse.

Johns-Manville, Inc., for compensation for damage to a plate glass window.

Annie Katzoff, for a hearing on her claim on account of an accident which occurred on Mascoma street.

Charles J. Larson, for compensation for damage to automobile by a cart of the Sanitary Division, on Commonwealth avenue.

Marshall Drug Store, Inc., for compensation for damages caused by the fall of a decayed tree at 2007 Washington street.

Mary Mazer, for compensation for injuries received from a fall at 30 Blossom street.

Herman F. McInnis, for compensation for injuries caused by an emergency wagon of the Fire Department.

Molly Rosenberg, for compensation for injuries caused by a fall at 32 North Anderson street.

Executive.

Petitions for children under fifteen years of age to appear at various places of amusement, viz.:

New England Dairy and Food Council, Mechanics Hall, December 3.

Lottie Edwards, Mechanics Building, December 9.

Inogene Phipps Hogle, Mechanics Building December 2.

NOTICE OF CONTRACT.

Notice was received from Joseph F. Feeney, Overseer of Public Welfare, of interest in contract with Supply Department.

Placed on file.

NOTICE OF HEARINGS.

A communication was received from the Street Commissioners of hearings to be held on December 11 on petitions for storage, etc., of gasoline at various locations.

Referred to the Executive Committee.

TRAFFIC REGULATIONS.

Notice was received from the Street Commissioners of amendment of street traffic regulations on Charles, Tremont, Boylston, Carruth and Codman streets.

Placed on file.

INVESTIGATION OF HOSPITALS FOR INSANE.

Coun. WATSON offered an order—That the Corporation Counsel be requested, through his Honor the Mayor, to ascertain if there are any citizens of Boston held in any of the private hospitals for the care of the insane in the Commonwealth, as voluntary patients, who should be discharged or committed, and if they knew what they were doing, or if they were coerced or threatened when they signed a voluntary commitment.

Coun. WATSON—Mr. President, my purpose in introducing this order is because of information that has been brought to my attention by parties who have a great interest in the treatment of the unfortunate insane, and because of what has come out in the late trial regarding the Dorothy Gordon case. Everybody who has read the papers and who has followed editorial comment on the Gordon case, except those who desire to believe otherwise for their own benefit, are satisfied that the commitment, voluntary or otherwise, of Dorothy Gordon was because of her wealth and the desire of some people to control or get possession of her wealth. I am satisfied from information I have received, which I believe to be reliable, that Dorothy Gordon is insane and should be committed, the same as any other insane person, in a proper and legal way. But my order is not for the purpose of saving much on the Gordon case, but to say something about other cases in which other citizens of Boston are concerned, both men and women, who are inmates of private hospitals at the present time here in Massachusetts. Referring to this matter of commitments, I know whereof I speak, because I have been in touch constantly for eleven or twelve years with alienists who stand high in their profession. I investigated the insane hospitals, both private and public, for ex-Governor Eugene N. Foss, in 1910, and I found a deplorable condition in them. I also know that what is everybody's business is nobody's business, and that at that time after a couple of years things went on as they had before, things getting back into the old rut. I have information in regard to certain individuals. I will not use the names of those who are voluntary patients in these insane hospitals, people who are citizens of Boston, but in one hospital, a private hospital run for

profit, the son of a former ambassador to Great Britain is an inmate, and has been for over twelve years. He is a voluntary patient, being no more insane than any member of this Council (laughter) —I will make it broader, no more insane than any one within the hearing of my voice,—but he was degenerate and is a voluntary patient, being placed there because of coercion and threats. Seeing he is degenerate, he is distasteful to his family, and his family desired to remove him from their roll and have him confined in some place away from them, but they did not wish the publicity of a regular legal commitment, so he was told that if he did not sign a voluntary application for commitment he would be committed as an insane person for the rest of his life, legally dead. Because of this threat and coercion he did sign the voluntary application. Every day that he was permitted to mingle with the public he committed acts, for instance, on street cars which, if he had been the son of a worker, a clerk or a laborer, he would have been taken off the car and tried in court for his conduct. He is a man who is a degenerate to the limit. But he is a voluntary patient, and the superintendent of that hospital keeps him there because there is \$150 per week paid for his treatment. There is another case of a relative of a former Police Commissioner, committed on her own voluntary application, so called, through coercion and because of threats, she being told that if she did not go as a voluntary patient, signing a paper, she would be committed for life. So under pressure she made a voluntary application for admission. In another instance the very wealthy son of a wealthy family in Boston went to the McLean Hospital, the one we hear so much about, rather than to be committed as one who was positively insane. His people sent him to the McLean Hospital. He was there only three days when his arm was broken and five ribs were broken by an attendant. Of course there was nothing about it in the papers! The McLean Hospital authorities know who I mean, but I will give names if necessary. In order to spare those dear to them, however, those who do not care to have too much publicity given to the fact that these people are in such institutions, I will withhold the names of the patients. Why, just think of it, the Waverly Hospital has only one nurse for eighteen violent patients! No wonder they restrain them, put them in strait-jackets, tie them up. The records of Waverly show that Dorothy Gordon was tied to her bed almost continually. Why? Because they had only one nurse to eighteen patients. The more patients a nurse has to attend to the greater the profit, in McLean or any other private hospital. In the state hospitals the rules and regulations are that there shall be one nurse to eight patients. That is had enough. But when people pay \$150 a week for a patient there should he at least a half nurse to a patient, or a nurse to two patients. The inquiry may be made, why I take this position. I will answer that. What is everybody's business is nobody's business. In the Dorothy Gordon case there will be a clean white-wash for the McLean Hospital, because of the opportunity there was for preparation before the examination of that institution was made. I have high regard for Mr. Fuller, the Lieutenant-Governor. He is my personal friend. But it seems strange that when he went down to the McLean Hospital to look into conditions there he was accompanied by Robert Homans, one of the leaders at the Massachusetts General Hospital. They went out together, and Mr. Fuller didn't tell Doctor Packard anything about their coming, not a word. In the beginning Doctor Packard wouldn't talk under any circumstances; at the finish you couldn't stop him from talking. I have waited until now to make my statement, in order that there might be no misunderstanding of my position in the matter, in order that there might be no smoke screen. By the way, Robert Homans, I understand, is the husband of Abigail Homans, and Abigail Homans's name is one of the names signed to the Good Government circular. They have stated, by the way, certain things about me, as a matter of record. Well, people may not know about my record, and I think I had better refer to the way that they have set it forth. They say that I am "a perpetual office seeker." That is a mistake. I am a perpetual officeholder. They say, "conspicuous in the Council as a hindrance to the intelligent consideration of public business? We advise his defeat." Well, for fifteen weeks out of the past fifty-two weeks I have agitated continually on the floor of this body action in the interest of the city and the

citizens on the lighting question. Is that a hindrance to public business? It certainly is not so far as the consumers of electricity are concerned, but it may be as far as the views of the Edison Company are concerned, and they contribute liberally to the Good Government Association's campaign fund and help pay George H. McCaffrey's salary. I think the idea that this is really Mrs. Homans's signature is also another inaccuracy. Nominally Mrs. Abigail Homans signed this document, but I think between you and me it simply means that George McCaffrey runs around and says, "sign here," and that it is signed in that way. I don't think they know what they are signing. They say, "Education, Dudley Grammar School" I never went to a grammar school in my life. My education was limited to the primary school. They say, "Residence, 38 Thornton street, Roxbury, Ward 13, for nearly eleven years." Well, they are right there. They add, "Previously in old Ward 21 for six years." I never voted in Ward 21 in my life. I presume, Mr. President (referring to President Brickley), they are about as accurate concerning you. They also say about me, "Occupational salesman for the Dyar Supply Company, contractors' supplies, for the past seven years." That is wrong. I had been with the Dyar Supply Company up to a year ago for nine years, seven years on a salary, two years as partner, and for the past six months I have been manager for the Northeastern Contracting Sales Company, that doesn't sell anything to the city. That is another inaccuracy. Then they say, that I voted for the one day off in three for firemen. I did, and I am proud of it. They say, that I voted against postponing the same until the end of the war. I did. They say, that I voted against and for consolidation of departments, and for and against a new site for Police Station No. 2. Well, if I vote for a measure on the floor of this Council, and receive information which leads me to believe that I was wrong, why shouldn't I, six months from now, in view of additional information, vote and argue against a thing that I might previously have favored? Is it anything against my character that when I feel that I have made an error I acknowledge it in a legislative body or anywhere else? If I am criticised for voting one way upon a matter and then in six months voting another way, after I have found out that I was wrong, am I to be criticised for that and put down as unfit to represent the people? Mr. President, a wise man sometimes changes his mind, but a fool never. We have here among the names signing for the Good Government Association, Abigail Homans, Abraham F. Pinanski, William Minot, Hilda H. Quirk. Well, Mrs. Quirk is all right. I have no quarrel with the ladies. She is married to Charles I. Quirk, an old-time politician, and, Mr. President, Charlie Quirk was a gang politician. He was always a gang politician, in the Senate, in the House, in the Governor's Council. He always stood with the gang, the mob. But I presume that either she has converted Charlie, so that he is a reformer, or that Charlie has converted her into a gangster, whatever way you put it. As for McCaffrey, the secretary of the association, I don't want to say much, except that I don't blame George. George is getting it pretty soft. He is getting \$3,500 a year for doing nothing, and he couldn't to save his life make as much money in anything else. Of course, we all know about George R. Nutter, a lawyer of high standing at the Suffolk bar. A while ago, if I remember correctly, when Henry Hurlhurt, that saintly gentleman, went to work in the Bar Association and wanted to examine into the moral character of the lawyers, George R. Nutter said, "Never." And I don't blame him a bit. Abraham Pinanski has got a lot of nice corners, a lot of nice property along the line of proposed street widenings, and I don't think the present Mayor and Council are inclined to vote the way that Pinanski wants. Well, I think I have said about all I care to say. I am disappointed, much disappointed in what the Good Government Association has said about me. I expected that they would indulge in more abuse. Somebody must have tipped them off, must have said, "Don't abuse Watson, because every time you abuse him he gets more votes." I am entirely opposed to the Good Government Association, always was and always will be. I don't care for their methods. Thank God, I never went to them with my hat in my hand. They are for what they call good government when it pays them to have the so-called good government. They have endorsed Francis D. Harrigan. Well, you remember the old song about "Harrigan, that's me." They have endorsed Harrigan. Then, they have

indorsed Billy Healey. Well, I like Billy. They say that his wide experience as editor of the *City Record* has been such that it warrants his election to membership in the Council. Why, do you realize that the circulation of the *City Record* is only 100, and he never saw it from the time it was printed until it was delivered? But Billy is all right. They indorsed Miss Luscomb, but they don't say much about her. They say she is an architect, but they don't say where she works. I am willing to bet that she couldn't make a first-class drawing of a saucepan. As far as Higgins is concerned, he is all right, but they have no use for him. However, their position is immaterial, anyway. You will find the three whom they'd indorse at the rear of James A. Watson, at the finish a week from today. I ask a suspension of the rule.

The order was passed under suspension of the rule.

JOHN C. HOLMES SQUARE.

President BRICKLEY offered an order—That the junction of Norway street and Massachusetts avenue be named John C. Holmes square, in memory of said Holmes, who died in the United States service during the World War, and that said space be suitable marked by signs.

Passed under a suspension of the rule.

POE AND RYAN SQUARES.

Ordered, That the open space at the junction of Warrenton and Eliot streets be named and hereafter known as Matthew Emmett Ryan square, in honor of said Ryan, who was killed in action October 27, 1918, in the World War.

Ordered, That the order passed by the City Council and approved by the Mayor March 11, 1921, naming the open space at the junction of Carver street and Broadway Matthew Emmett Ryan square, be and the same hereby is rescinded, and said space is hereby named Edgar Allen Poe square.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.58 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The Council reassembled and was called to order by the President at 3.35 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee submitted the following, viz.:

1. Reports on petitions (referred today) for children under fifteen years of age to appear at various places of amusement, viz.:

New England Dairy and Food Council, Mechanics Hall, December 3.

Lottie Edwards, Mechanics Building, December 9.

Imogene Phipps Hogle, Mechanics Building, December 2.

Reports severally accepted; permits granted on the usual conditions.

2. Report on message of Mayor, communication and order (referred today) for appropriation of \$200,000 for relaying water service mains—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0, the vote being, yeas, Coun. Brickley, Donoghue, Ford, Hagan, Lane, Moriarty, Watson.

PARKMAN FUND.

Coun. HAGAN, for the Committee on Parkman Fund, submitted a report on message of Mayor, communication and order (referred today) for appropriation of \$27,530.01 from income of Parkman Fund—that the order ought to pass.

Report accepted; order passed, yeas 7, nays 0, the vote being, yeas, Coun. Brickley, Donoghue, Ford, Hagan, Lane, Moriarty, Watson.

APPROVAL OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 to 3, inclusive, viz.:

Action on appointments submitted by the Mayor, November 27, 1922, viz.:

1. William J. Miller, to be a Constable.
2. John Prior, to be a Constable.
3. James V. Fallon, to be a Constable.
4. Gilbert C. Jackson, to be a Measurer of Grain.

5. Augustus T. Canty and Forrest G. Wilder, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Ford and Donoghue. Whole number of ballots cast, yeas 5, nays 1, and the appointments were confirmed.

Coun. MORIARTY—Mr. President, I want to say that I voted "No" for the reason that I felt that I should vote "No" on every one of them. There is nothing personal in the matter at all. But I did just have brought to my notice the fact that a constable who has been confirmed here by this Council holds \$150 and has held it for nine months on an execution, and the lawyer who hired him told me in this chamber less than thirty minutes ago that it is impossible for him to get that \$150. He has made a report to the Mayor's office in regard to the matter. That same man who is holding that \$150 has been continually confirmed in this Council. He may be the worst rat in town. He has on his window, "Constable, Detective Agency," and my contention is now that he is using, and that 50 per cent of the constables approved by this Council are using, every dishonorable means to do that sort of thing. I feel that we should investigate, go into this matter of constables more carefully, so that we may get better men, and I think if the Good Government Association would take that matter up they would be in far better business than they are today, sending forth the insinuations that they have sent forth in their pamphlet. There is now a hearing going on in this town, a hearing which is not concluded; but the Good Government Association has sent out a pamphlet today finding the men guilty, or finding one man guilty; on the evidence that has already been submitted, when the commission that is hearing the case has not made a decision up to the present time. It appears in the booklet that I have got from the councilor across the way (Coun. Watson), however, that they have convicted President Brickley before the trial is concluded, and are sending out this pamphlet setting forth that fact broadcast. Under our procedure a man is never supposed to be considered guilty until he has been found guilty. He should have only one trial, and this Commonwealth last week gave the best decision that was ever given in the Commonwealth, when it was decided that a man should not be sentenced more than once for a crime, a jury of twelve men in Suffolk County finding Ponzì not guilty because he was already serving time for the same offence. Why, the Good Government Association are coming in here practically on the eve of election, with five people sitting on Beacon Hill and with five other men sitting at the School Committee headquarters going into grave charges, and we find the five men, or the four men and one woman, signing a report to be sent broadcast to the voters of this city in connection with the coming election. Their first words in the pamphlet are, "Secure the election of honest and capable men." Well, it takes honest and capable men to pick honest and capable men, and we ought to make sure first that the five or six people who are indorsing candidates in the name of the Good Government Association are honest. I am unable to so decide. A former chairman of the Finance Commission, I am informed, owns a house within this city. It is assessed for something like \$6,500, and I am informed that within ten days he was offered \$10,000 for the house and refused to make the sale. So far as the so-called investigation of the members of the Council is concerned, I feel that no one of the representatives of the Good Government Association has been fair in the investigation that has been made. Just to show to the public that it was not a fair investigation, let me say that if it was a fair investigation they would not have had one man or two men treated in this way, but they would have summoned or invited each and every member of the Council, because each member voted for this order about which they have raised a question. Let me say that in all my five years in the Council there was

never any more logrolling, any more sharp parliamentary procedure, than on the day when we passed the order concerning the Beth Israel piece of property. When I moved that it be taken from the calendar, after it was defeated, one of the councilors, who has always received the indorsement of the Good Government Association, moved that it be referred to the committee. Another member who has always received the Good Government indorsement moved that it be assigned to the next meeting. Both of the members knew that in the intervening time between that meeting and the next it would become a law. Coun. Watson, sitting on the other side, said that he had voted for the appropriation on both occasions, but that if there was going to be that kind of tactics used he would change his vote. Coun. Ford arose and said that he agreed with Coun. Watson. Turning to Coun. Lane he said, "And I think you should withdraw your motion," and Coun. Lane withdrew his motion. But we found appearing here in the matter, not as a member of the Council, but a past member of the City Council who had served in the City Council for twelve years, and who left this body at our last meeting in January, a gentleman who appeared as counsel in the interest of this piece of property in the North End. He was the same gentleman, appearing then as their counsel, who had stood by the Good Government forces here in the Council not for one year but for twelve years. He never varied here one inch for the twelve years as the staunch standard bearer of the Good Government Association; and if any man should ever have been rewarded for faithful service it should have been Walter Collins. He should have received the indorsement of the Good Government Association for Mayor at the last election. But faithful service does not mean anything to the Good Government Association; faithful service does not mean anything to the Finance Commission. The Finance Commission, if it was an honorable body, if it desired to do what should be done for the citizens of Boston, could save many dollars. My contention is this, that if they were going to make an investigation, they should have made a real investigation. While that property was in the committee we saw many lobbyists here. I saw Pinksohn here for two or three weeks prior to its being defeated. He testified before the Finance Commission that he wrote four letters after it was defeated. He wrote a letter to Coun. Donoghue, he wrote a letter to Coun. Walsh, he wrote a letter to Coun. Brickley, and he wrote a letter to James T. Moriarty. I didn't answer it, neither did I go to see him. He met Coun. Donoghue and myself in this office, not by appointment but by accident, as far as Mr. Donoghue and I were concerned. It was not any accident as far as he was concerned. I have not been summoned before the Finance Commission yet. They asked me to go there a week ago, and I am still waiting to go there. I am ready when they want me. I have nothing to fear. I want to say that as far as I am concerned I believe that the two members of the Council who have been there have nothing to fear, that it is a smoke screen pure and simple. Coun. Watson has brought out the situation in regard to one man who has signed the Good Government indorsement. He owns a lot of property, and he wants some new widenings. He has got to get some votes, and the only way that he can get the votes is to defeat Watson and Brickley. If they get two new members in here the Council will be controlled by the Good Government Association, in Barristers Hall. They will be told bow to vote, and don't you forget that they will vote that way. It is nothing but a smoke screen spread before the public at this time. Everybody believes in protecting the rights of citizens, and every man should have his rights before the bar of justice. The Finance Commission have been prolonging this case. The election is a week from tomorrow. They summoned witnesses today, witnesses who went there at some inconvenience, and when the witnesses went there this morning they were told that the hearing was postponed until ten o'clock tomorrow morning. The Boston American a week or ten days ago had an editorial, saying, "Come on, Finance Commission, if you have got anything, give it to us, and if you haven't got anything we are going to support Brickley. Don't hold the hearing up. Give us what you have got." Why, it is to laugh. A week ago today or tomorrow the press called attention to the fact that the Finance Commission in session had sent the record of its hearings to the District

Attorney, asking the District Attorney to indict James T. Moriarty for asking Clerk Manning to put a man to work. I acknowledge that I asked Manning to do that, and I will go further. I went to the chief justice. I have got one more year to serve, and I am going to everybody possible, heads of departments or anybody else, to secure employment if I can for anybody, and if they want to indict me for getting a man a job, good luck to them, because that is all they have got on me, and that is all they have got on the President of this Council or any other member of this Council. I have nothing to hide. I don't believe there is any jury of twelve men, even if you should get them from the Ku Klux Klan, who would send me or anybody else away for trying to get a man a job. But this is the funny part of holding public office. I am not only in bad for trying to get the job, with the Good Government Association and the Finance Commission, but the fellow I tried to get the job for is not speaking to me, because I didn't get the job. (Laughter.) Of course, this is a political time. A fellow said to me yesterday up at the Elks memorial, mentioning one of the fellows who were indorsed, "You and he are pretty good friends, aren't you?" I said, "Yes, he and I are pretty good friends. He is a good fellow." "Well, you will vote for him, won't you?" "Not I. I am on record many times as saying that if my brother received the Good Government indorsement I would not vote for him, and that goes not only now but hereafter."

Coun. WATSON—There won't be any hereafter, Jim!

Coun. MORIARTY—Let us look at it from the public point of view. Any man in this city who desires to run for public office and who cannot run on his own platform does not deserve the support or consideration of any of the voters of this city. I admire Coun. Watson for saying to the Good Government Association, "You are not good enough for me to go before," let alone going before them so that they may find out whether you are good enough or not.

Coun. WATSON—Don't tell what I said about them!

Coun. MORIARTY—I have no intention of doing so. I have been held in restraint in this matter longer than ever before. I don't know how I have kept from exploding, but I couldn't carry it any longer. I understand that we will not meet next Monday, and so I could not keep silent until next Monday, I had to get up here today and get this off my mind, because it is the last day when I can say it. I want to say that the newspapers, in my estimation, have been absolutely unfair as far as the investigation is concerned. The Finance Commission was running a private hearing for better than a week until the Boston Post a week ago last Sunday came out, practically the only paper in Boston, and told how they were running private hearings, and then, without any further notice, on Monday they threw their hearing open and made it a public hearing. I don't know Mr. Dowling. I have been here five years and I have seen a good many communications come in here signed by him and the chairman for the rest of them. But they are the only two members of the commission whose names we usually see. On any report that comes to the Council or that goes to the Mayor the only two signatures are those of the chairman and the secretary. The rest of them are printed. So it would seem that nine times out of ten the other members never read the reports that are sent out. If they do they must have palsy after reading them, because they are not able to sign their names, their names coming to us in printed form. I think it is about time that the citizenship of this city should try to find out who is running the city. One week ago the Finance Commission, as I see in the papers, appointed nine women to make an investigation of the Public Welfare Department. Five of them were non-residents of the city of Boston and four of them residents of the city. Is it possible that the Finance Commission has got the right to spend the money of Boston's citizens for salaries for investigators from outside. Does that show a nice intelligence on the part of the Finance Commission, or does it show a helitting of the intelligent people of our city. Of course, they are splitting hairs here in this pamphlet, in so far as the women are concerned. They are indorsing Florence Luscomb. She has been here for two years, and has been the

tenth member of the Council. The only thing she hasn't had is a vote. She isn't here today; she is out campaigning. Well, of course, we are all selfish, and she believes in self-preservation.

Coun. WATSON—She is out in Ward 27, Newton.

Coun. MORIARTY—Well, she is out campaigning today. They say that on account of her sitting in the gallery for the last couple of years, and because she is an architect, she is capable of sitting in the Council. Well, she may have more capability than anybody in here, but if she is an architect she ought to go out and work at her trade. She will make more money than she will make here. I suppose somebody is going to answer me. I see Coun. Watson taking notes.

Coun. WATSON—No.

Coun. MORIARTY—Well, I know you will not answer me, but I was going to say that you are probably saving yourself for the fellow who answers me.

Coun. WATSON—Well, I will do that. We all agree, Jim. We don't dispute what you say.

Coun. MORIARTY—I don't know that I need to say more, and I don't know that I have any more to say at this time, although there is much more that might be said, and there are certain things that I wish I had time to look up. I would be willing to spend money myself to do so.

Coun. WATSON—Don't spend your money.

Coun. MORIARTY—They say that Billy Healey would know how to run the city, because he has been connected with the *City Record* for three years. Well, I think a lot of people down in the Printing Department, who have been printing the *City Record* for years, would be more capable than he. But as far as the Council candidates are concerned, the wise fellows, in my estimation, were the four fellows who withdrew, including Thomas R. Kelly, James Hanley and James Good. They proved themselves not to be friends of the Good Government Association. If we had a hand-to-hand fight with three men running against the Good Government Association candidates, there wouldn't be a look-in for them. I want to say here and now that the two men and the woman who have the indorsement of the Good Government Association also have the indorsement of John R. Murphy, the last defeated candidate for mayor of Boston. It is an out-and-out fight. The citizens of Boston elected Curley, these men could not lick him, and they are now going to try and lick him in here. They say that the majority members of the Council are going from bad to worse. I agree that that is so. I agree that the Good Government Association cannot come down here and get anything from the majority of the members of the Council of 1922. Of course, they have practically been in control in the other twelve years. They have been absolutely out of control, however, for the last year at least. In a body of this kind, if you are not in, of course you are in bad shape. When you are in you are in good shape. We have been in, are in today, and I think that anybody who wants to carry out the policy of the Mayor who was elected in face of the greatest opposition ever put against anybody, and with the opposition of the Good Government Association and of affiliated organizations of this city, should, man and woman, indorsing the activities of the Mayor and the Council of this city, absolutely vote against the three candidates of the Good Government Association. Let their same minority stay in here, because with the minority they have in here now—Lane, Hagan, Gilbody—they will be all right.

Coun. FORD—They are good fellows.

Coun. MORIARTY—They are good fellows, but they haven't any power and they won't have any power. I would like to say a lot more, but I think that I will close. Maybe I have said too much; maybe I haven't said enough. The only thing I want to say in conclusion is this. I ask anybody who knows me, who believes in prayer, to pray that the District Attorney will see fit to present an indictment or to present a report of the Finance Commission, and try his hardest that I may be indicted. I have already asked the District Attorney to present the papers to the Grand Jury, and if he does submit the papers to the Grand Jury they will have one tough job to put me out of office. If they are going to play the thing politically, so am I. I will admit openly that I have tried to get jobs for men. This is the first time it ever came out publicly that a man did try

to get a job. So it is out now that I did try to get a job for somebody, no matter how small. If the Finance Commission are going to push that matter, because we have the nerve to do that kind of thing, I ask for an indictment by a judge sitting on the bench.

Coun. WATSON—And I am with you on that.

Coun. MORIARTY—The former chairman of the Finance Commission had a woman transferred, and it is a matter of record, from the Public Library to the Soldiers' Relief Department, and after she got her there she was the only girl in the department, after being there six or seven months, to get a \$200 increase. That is a matter of record. So, of course, if I am to be indicted for getting a fellow a job, or for trying to get a fellow a job, I don't know whether they will indict the judge for getting that transfer or not. So far as the charter is concerned, however, if my act is illegal, so was the act of the chairman of the Finance Commission. So, in conclusion, I say and I hope the papers will publish as much as they can of this, although I know they will not publish very much of it,—that I plead with the electorate, both men and women, for fairness, for fair play. I believe that the citizens of Boston are always in favor of fair play, and I trust that when they go to the polls on Tuesday of next week they will return to this Council my two colleagues, Coun. James A. Watson and David J. Brickley.

Coun. WATSON—Mr. President, I get up for the purpose of stopping somebody from answering Coun. Moriarty on the other side. I talked with the editor of the Boston *Herald* last evening. He was very pleasant, and he told me that if I could bring to his notice anything funny he would run it. Well, I feel pretty good today, so I will say something, although I don't think he will do anything. That is, I doubt very much if he will. Coun. Moriarty has referred to a constable, and the way he has acted. I want to say first of all, seriously, that if the constable he refers to has \$150 belonging to somebody, and has not turned it over to that somebody, if he will present the name to me at the next meeting of the Council I will introduce an order calling on the Law Department to remove him as a constable. I now hope that my statement concerning my desire and intention to have him removed will get the gentleman his \$150 from the constable. That is the most important thing of all. The councillor speaks of Miss Luscomb being out campaigning. I know Miss Luscomb. She is all right. She has a perfect right to be a candidate for public office, but she is running on a platform that does not belong to her. She claims that she is responsible for public meetings of committees of the Council. No, she is not. We have always had public meetings of committees, but they have been held in the committee room. Coun. Hagan brought about these public meetings out here in the Council chamber, because of the crowd that desired to be heard, too large a crowd at times to accommodate in the other room. So, you see, the reform that Miss Luscomb brought about is one that she didn't bring about. Now, if Joseph Lee, James Jackson Storrow, John R. Murphy, George R. Nutter, Abraham Pinanski, Mrs. Quirk, Mrs. Hom ns and Mr. Stone, and one other man, control the elections in Boston there will be no red-blooded members of this body. I have talked with the entire membership of the Council, and it is not only my opinion, but evidently the unanimous opinion of this Council that the Good Government Association is a political machine and positively unfair. There is not a member of this body, even among the so-called Good Government members, who is not distrustful of their purposes and motives and who does not in a measure disapprove of their method of conducting affairs. It may be rather hard for the Good Government members to sit still and not deny this, and they may deny it, but I am simply judging from what they have conveyed to me. I believe they all consider the Good Government Association as nothing but a busybody outfit. Still, I don't blame them for the position they take one bit. If I could gather together five friends of means who would abuse somebody to whom I was opposed as much as I have been abused in the past by the Good Government Association, I would do it, and do it hurriedly. But what I do object to is the newspapers paying so much attention to their efforts. I have voted on 856 roll calls in my thirteen years in public office. I have missed twenty-two roll calls in my public service. Now, what these people have done is to simply pick out a

few of my votes and criticise them. They criticise me for voting for the one-day-off-in-three for firemen, a vote that I am proud of. They criticise my vote on Station 2, which I have voted for and against, changing my position, as a man should do when he thinks he has been wrong. Out of my 856 votes on roll calls in my public career they simply point to these few votes as an argument against my re-election. Mr. President, I am going to be re-elected, positively. There were only two chances for my being defeated, one was through my dying before the twelfth and the other was through getting the Good Government Association indorsement. I am 50 per cent safe, any way, as I do not have the Good Government indorsement. I trust that Mr. Moriarty will present the name of the constable whom he said has \$150 of somebody else's money which he was holding, at their next meeting, and I will gladly vote, unless that constable restores the money to the individual, in favor of an order to take his commission from him. I feel like Coun. Moriarty, a little bit jovial today, a little bit elated, only upset because the Good Government Association in their pamphlet did not say more against me. They said so little that it is hard for me to talk about it. But I am satisfied that when the votes are counted it will be found that the people, as has happened so many years in the past, have pushed aside the comment of the Good Government Association and have used their usual good judgment, re-electing me to the City Council.

APPROPRIATION FOR POLICE STATION 2.

President BRICKLEY called up unfinished business, Nos. 6 and 7, viz.:

6. Ordered, That the sum of \$60,000 be appropriated to be expended by the Superintendent of Public Buildings, for the erection and completion of a new building for Police Station 2, and that the City Treasurer be authorized to issue, from time to time, at the request of the Mayor, bonds or certificates of indebtedness to said amount.

On November 20, 1922, the foregoing order was read once and passed, yeas 8, nays 1.

7. Ordered, That under authority of chapter 261 of the Acts of 1923 the City Auditor be and hereby is authorized to transfer:

From the appropriation for Police Station 2, Site and Plans, \$11,000, to the appropriation for Police Station 2, Building, \$11,000.

On November 20, 1922, the foregoing order was read once and passed, yeas 8, nays 1.

The orders were given their final reading and passed, yeas, 6, nays 1, Coun. Moriarty voting nay.

GENERAL RECONSIDERATION.

Coun. DONOGHUE moved a general reconsideration on all business of the meeting, hoping that the same would not prevail. Lost.

Adjourned at 4.17 p. m., on motion of Coun. MORIARTY, to meet on Monday, December 18, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Thursday, December 14, 1922.

Special meeting of the City Council, held in the Council Chamber, City Hall, at one o'clock p. m., for the purpose of drawing jurors, President BRICKLEY in the chair and a quorum present.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Thirty-nine traverse jurors, Superior Civil Court, First Session, January Sitting, to appear January 2, 1923:

Abe S. Aronson, Ward 2; Julius Peterson, Ward 2; Enrico Salerno, Ward 2; Patrick F. McAvinnie, Ward 3; Henry J. Denning, Ward 4; Nathan Viner, Ward 5; Lewis M. Woodbridge, Ward 5; Robert K. Nelson, Ward 7; George R. Bonner, Ward 8; James F. Landie, Ward 8; Francis T. Smith, Ward 8; Matthew F. Carter, Ward 11; Peter S. Steenson, Ward 11; Oswald W. Coner, Ward 12; Edmund J. Burke, Ward 14; Edward J. Phipps, Ward 14; David H. Robb, Ward 14; Henry M. Rockwood, Jr., Ward 14; Edwin M. Warwick, Ward 14; Luigi Bello, Ward 15; Robert J. Carnes, Ward 15; George A. Hiltz, Ward 15; Kenneth P. Hatch, Ward 16; John A. McDonald, Ward 16; Michael J. Meade, Ward 18; Edmund L. Joslin, Ward 19; Frederick J. Moffat, Ward 19; George A. Patterson, Jr., Ward 20; Louis M. Ronan, Ward 20; Louis Libbman, Ward 21; Philip H. Louis, Ward 21; Rubin Reingold, Ward 21; Herbert V. Sexton, Ward 21; Carl A. Olson, Ward 22; John Timon, Ward 22; Gottfried Echland, Ward 24; Thomas Pritchard, Ward 24; Harry W. Putney, Ward 25; William G. Norwell, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Second Session, January Sitting, to appear January 2, 1923:

Thomas E. Booth, Ward 1; Tony Robino, Ward 2; Edwin D. Zinck, Ward 2; Quirino Cicchetti, Ward 5; Fred C. Hayes, Ward 5; Elles Weisman, Ward 5; John J. Connelly, Ward 6; George J. LeBarron, Ward 7; Leo J. Buckley, Ward 8; George A. Marsh, Ward 8; Thomas E. Goggin, Ward 9; Henry J. Delany, Ward 12; William J. Sullivan, Ward 12; Joseph L. Austin, Ward 13; Albert H. Eichorn, Ward 13; John W. White, Ward 13; Harry L. Allen, Ward 14; Frederick W. Spencer, Ward 14; Martin A. Fitzgerald, Ward 15; Herbert L. Harmon, Ward 15; Otto E. Vary, Ward 15; Edward J. Anderson, Ward 16; Thomas A. Colleran, Ward 16; David Kasanof, Ward 16; Frederick C. Hagen, Ward 17; Robert Hamilton, Ward 18; Samuel A. Leventhal, Ward 18; Charles F. Magee, Ward 18; John S. McDonough, Ward 18; Hyman Charm, Ward 19; Oscar L. Phelan, Ward 19; William G. Schmidt, Ward 19; William H. Dana, Ward 21; T. Gordon Smith, Ward 21; Henry J. Keane, Ward 22; Thomas F. Halev, Ward 23; Frank A. Brown, Ward 24; Oscar E. Johnson, Ward 24; Ralph A. Fugere, Ward 25.

Thirty-nine traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear January 2, 1923:

Sam Gilman, Ward 2; James McLaughlin, Ward 2; Raymond J. Foster, Ward 3; Frederick W. Kevo, Ward 3; Howard V. Redgate, Ward 3; Michael H. Ahern, Ward 5; Henry J. Elmore, Ward 5; Philip Goldberg, Ward 5; Anthony L. Poto, Ward 5; George F. Wentworth, Ward 5; Stephen G. Brickett, Ward 8; Frederick Brooks, Ward 8; John Heard, Jr., Ward 8; James T. Collins, Ward 9; James J. Galvin, Ward 9; Edward J. McGrath, Ward 10; David J. Connell, Ward 11; Frederick N. Gass, Ward 12; Angus K. Ross, Ward 12; James A. Churchward, Jr., Ward 13; John B. Merrigan, Ward 13; John J. Donohue, Ward 14; Jerome Schonfeld, Ward 16; Archibald L. White, Ward 16; George W. Fickett, Ward 17; Axel Kellberg, Ward 17; Henry M. Kilduff, Ward 17; Stephen McDermott, Ward 17; John R. Power, Ward 17; Samuel Matthews, Ward 18; Frank H. Sharp, Ward 19; Cornelius J. Clougherty, Ward 20; Joseph F.

Griffin, Ward 20; Alonzo J. Taber, Ward 21; Peter P. St. George, Ward 21; Robert F. Ambrose, Ward 22; Harold Victor Langlois, Ward 23; Alexander T. Burgess, Ward 24; Stanton F. Slocum, Ward 25;

Thirty-nine traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear January 2, 1923:

Charles H. Poor, Ward 1; Michael J. Dugan, Ward 2; George S. Locke, Ward 2; John P. Morrison, Ward 2; Nathaniel Neville, Ward 4; Charles S. Eaton, Ward 5; Albert Lepou, Ward 5; Anthony L. Sansone, Ward 5; Herbert Egan, Ward 6; Walter Levine, Ward 6; Daniel J. Fitzgerald, Ward 7; John Sargent, Ward 7; William J. Driscoll, Ward 9; Albert A. Smith, Ward 9; Arthur T. Riley, Ward 12; John Barry, Ward 13; Michael J. Donohue, Ward 14; Robert H. Buxton, Ward 15; William Cahill, Ward 15; Charles H. Vail, Ward 15; Fred McLaughlin, Ward 17; John P. A. Schwanemen, Ward 17; Edward G. Williams, Ward 17; John C. Duggan, Ward 18; Samuel J. Finn, Ward 21; Myer Silberman, Ward 21; Charles R. Davis, Ward 22; Henry A. Fraser, Ward 22; William G. Jordan, Ward 22; Frederick Baldeu, Ward 23; Edgar L. Kelley, Ward 23; William H. Schaffner, Ward 23; Arthur Stein, Ward 23; Robert Bitz, Ward 24; Albert H. Geyer, Ward 24; Anthony Hedolin, Ward 24; John Alfred Sutcliffe, Ward 24; West P. Woodbridge, Ward 25; John F. Adler, Ward 7.

Thirty-nine traverse jurors, Superior Civil Court, Fifth Session, January Sitting, to appear January 2, 1923:

Peter A. McDonnell, Ward 3; Walter M. Roche, Ward 4; Charles E. Gallagher, Ward 5; John Gouley, Ward 5; James P. Sweeney, Ward 5; Jefferson D. Earl, Ward 6; Alexander D. Adams, Ward 7; E. Wilbur Dean Hamilton, Ward 7; Thomas A. Arthur, Ward 8; Henry Sampson, Ward 10; John McNamara, Ward 11; William J. Willis, Ward 11; Edward N. Roghaan, Ward 12; George F. Skiffington, Ward 12; Charles W. Clough, Ward 13; Henry P. Floyd, Ward 13; George S. Littlefield, Ward 13; Thomas J. O'Connell, Ward 13; Irvin L. Pitman, Ward 13; Thomas J. McCarthy, Ward 14; James Tracey, Ward 14; Frank L. McGovern, Ward 15; Thomas Norton, Ward 15; Harris Reamer, Ward 15; James P. Slater, Ward 16; Elie Forman, Ward 17; William Hudson, Ward 17; Joseph L. Rosenthal, Ward 18; Charles W. Fais, Ward 20; John D. Lyons, Ward 21; Jacob F. Sauer, Jr., Ward 21; James McGuigan, Ward 22; James P. A. Purcell, Ward 22; Edmund W. Cox, Ward 23; Benjamin Guckenberger, Ward 23; William H. Sproul, Jr., Ward 25; Percy W. Fisher, Ward 26; Frank X. Nolen, Ward 26; Edward T. Timmins, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Sixth Session, January Sitting, to appear January 2, 1923:

Thomas F. Cullen, Ward 1; Edwin A. Kelly, Ward 1; Edmund J. Barry, Ward 2; Charles Norris Young, Ward 3; William F. Brophy, Ward 5; Joseph J. Jordan, Ward 5; Edward I. Levine, Ward 5; David Rogers, Ward 5; William T. Harrison, Ward 6; George W. Anderson, Ward 7; Herbert L. Greene, Ward 7; Herbert W. Dayton, Ward 8; John M. Fabins, Ward 8; William D. James, Ward 8; Frederick A. Moreland, Ward 8; James E. Moffitt, Ward 9; Patrick F. Quinn, Ward 9; James W. Snow, Ward 10; Louis R. Freedman, Ward 13; Thaddeus T. Kelly, Ward 13; Daniel F. Keenan, Ward 14; Edwin A. Reynolds, Ward 14; George N. Clarkson, Ward 16; William A. Horgan, Ward 17; Walter L. Dixon, Ward 18; George Fine, Ward 18; David A. Anbuter, Ward 19; Israel Hershman, Ward 19; Thomas H. McDonald, Ward 20; Nils Goranson, Ward 21; George W. Little, Ward 21; John A. Mattson, Ward 21; Sumner W. Bearse, Ward 23; Kenneth W. Faunce, Ward 23; Walter S. McIntosh, Ward 23; Clarence B. Sawyer, Ward 23; Francis W. Sayce, Ward 23; Joseph B. Barne, Ward 24; Thomas F. McDonald, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Seventh Session, January Sitting, to appear January 2, 1923:

Forrest E. Woodward, Ward 1; Louis Epstein, Ward 2; Edward A. Burke, Ward 3; Patrick J. O'Meale, Ward 3; John F. Brady, Ward 4; James J. Davis, Ward 4; Abel P. Faucette, Ward 4;

Thomas Cruise, Ward 5; Morris Golden, Ward 5; William H. Marsh, Ward 5; John J. McCarron, Ward 5; Charles A. Powell, Ward 5; Frank A. Hollenbeck, Ward 7; Henry M. Kelley, Ward 7; Frederick A. Buckley, Ward 8; John H. Watkins, Ward 8; John Kane, Ward 9; Walter A. Aylward, Ward 10; Joseph A. Maguire, Ward 10; John Albert Martin, Ward 10; James R. Dean, Ward 12; Edward F. Didion, Ward 12; Thomas A. Griffin, Ward 12; Frederick C. Vocke, Ward 14; Morris Zielman, Ward 15; Orlando C. Beals, Ward 16;

Edward A. Madden, Ward 17; Samuel Roddy, Ward 17; Philip Schresky, Ward 19; Fred J. Howard, Ward 20; Mauritz Casporson, Ward 21; James Hamilton, Ward 21; William E. P. Kelly, Ward 21; Thomas C. Martin, Ward 21; Edward F. Harkins, Ward 22; Francis H. G. Blood, Ward 23; William H. Griffin, Ward 23; Frederick J. Oberaker, Ward 23; Peter Cotichini, Ward 25.

Adjourned at 2.08 p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, December 18, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair, and all the members present.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor being present), viz.:

Twenty-two special grand jurors, to appear December 26, 1922:

Benjamin H. Waugh, Ward 1; Frank E. Silva, Ward 2; Thomas S. Sullivan, Ward 5; Thomas E. Walker, Ward 5; William T. Aldrich, Ward 8; Charles M. Rotch, Ward 8; Elbridge H. Hunt, Ward 9; John Joseph Dineen, Ward 11; Clement M. Marshall, Ward 12; William H. Wright, Ward 12; Wilhelm Freymann, Ward 15; Thomas O'Leary, Ward 15; William H. Thorning, Ward 15; James A. Aicardi, Ward 17; Charles E. Main, Ward 17; John A. Adams, Ward 18; Raymond T. Meeken, Ward 19; Joseph Stone, Ward 19; Frank E. Woodworth, Ward 19; Martin J. McGuire, Ward 21; Arthur R. Warren, Ward 24; James J. Garballey, Ward 26.

Forty traverse jurors, Superior Criminal Court, First Session, to appear January 2, 1923:

Charles McInnis, Ward 1; John P. Mahoney, Ward 2; Thomas E. Lawler, Ward 5; William T. Collins, Ward 6; William Fennessey, Ward 9; Charles H. Buchanan, Ward 10; John Bulman, Ward 10; Clarence I. Dill, Ward 10; William M. Foley, Ward 10; Thomas J. Francis, Ward 10; John J. Kennaley, Ward 10; James H. White, Ward 10; George E. Campbell, Ward 12; Louis Friedlander, Ward 12; Cornelius J. Cadigan, Ward 13; John J. Flynn, Ward 13; William H. Greene, Ward 13; Charles R. Arlen, Ward 14; Jeremiah F. Moriarty, Ward 14; Francis Campbell, Ward 15; Joseph Gordon, Ward 16; George H. Waterman, Ward 16; Daniel W. Hinckley, Ward 17; James F. Woods, Ward 17; Arthur B. Fitzmaurice, Ward 18; William W. Kaufman, Ward 20; William J. Longridge, Ward 20; Henry W. Kisker, Ward 21; Patrick J. Cunniff, Ward 22; Edward Richburg, Ward 22; Gustave R. Maertins, Ward 23; Rudolph Munz, Ward 23; John J. Burke, Ward 25; Ray T. Langenbach, Ward 25; Harris Levine, Ward 25; Prescott D. Lowell, Ward 25; Harry A. Stiles, Ward 25; Thomas J. Berkeley, Ward 26; James A. Finley, Ward 26; Patrick J. Kelley, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, January, 1923, sitting, to appear January 2, 1923:

Abraham Johnson, Ward 1; Frederick J. Curtin, Ward 2; George A. Giannotti, Ward 5; Joseph Perotti, Ward 5; George H. Hamblin, Ward 6; Charles F. Tripp, Ward 7; George B. Dabney, Ward 8; Frederick L. Johnson, Ward 8; Wilson E. Mackay, Ward 8; Clarence G. Reynolds, Ward 8; Howard Smith, Ward 8; Jeremith Mahoney, Ward 9; Joseph Dean, Ward 10; James P. Whalen, Ward 11; Thomas Robertshaw, Ward 12; Angus J. McInnis, Ward 15; Louis H. Single, Ward 15; Nathan R. Flynn, Ward 16; Harry G. Starr, Ward 16; Daniel A. Fraser, Ward 17; John F. Barry, Ward 18; Daniel E. MacGoldrick, Ward 18; William E. Molloy, Ward 18; Peter H. Rogers, Ward 18; John J. Walsh, Ward 18; Edwin A. Davis, Ward 19; Frank E. Webber, Ward 19; Jacob Muller, Ward 20; Chester H. Wiley, Ward 20; Harry W. Imnick, Ward 22; John A. MacClellan, Ward

22; Joseph I. Hennessey, Ward 23; William A. Heywood, Ward 23; Robert M. Otis, Ward 23; James Todd, Ward 23; Joseph W. Vogel, Ward 23; Potter J. Campbell, Ward 24; James E. Early, Ward 24; Patrick H. Glynn, Ward 26; John P. Grace, Ward 26.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear January 2, 1923:

Arnold B. Crosby, Ward 1; Charles H. Reilly, Jr., Ward 1; James L. Gorman, Ward 2; Charles J. Pedalino, Ward 2; John J. Waters, Ward 2; Thomas W. Furey, Ward 4; Michael Backer, Ward 5; Charles T. Harrington, Ward 5; Charles H. Meadows, Ward 5; Joseph M. Murphy, Ward 5; Daniel Sullivan, Ward 6; Martin J. Lynch, Ward 8; Moses S. Wales, Ward 8; Frank L. Donovan, Ward 9; Edward Moore, Ward 9; William J. Morrissey, Ward 9; Christopher J. Malone, Ward 11; James A. McMenimon, Ward 12; Charles M. Franklin, Ward 13; Thomas F. Henehan, Ward 14; Frank M. Hennessey, Ward 14; Edward Hughes, Ward 14; Michael F. Markham, Ward 14; Edward J. O'Rourke, Ward 14; Harry B. Crawley, Ward 15; James A. MacDonald, Ward 17; John F. Hucksam, Ward 18; Joseph Spry, Ward 18; Louis N. Daum, Ward 19; Manoog Gureghiore, Ward 19; Mortimer A. Toomey, Ward 19; Patrick Gilmartin, Ward 20; Daniel G. Higgins, Ward 21; Frederick Catarius, Ward 22; Michael J. Doyle, Ward 23; John E. Hogan, Ward 23; Carl E. Larson, Ward 24; Arthur E. Marr, Ward 24; George H. Peterson, Ward 24; Francis B. Powderly, Ward 24.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Joseph M. Torr, 79 West Rutland square, Boston, to the position of Constable of the City of Boston.
2. Thomas P. McNamara, 655 Massachusetts avenue, a Weigher of Goods.
3. William A. Kelly, 9 Foster street, Brighton, a Weigher of Beef.
4. Weighers of Coal: John F. Bowman, 203 West Wyoming avenue, Melrose; Daniel F. Lauten, 476 Atlantic avenue, Boston; Mollie Berman, 51 Brunswick street, Roxbury; Arthur W. Hill, 37 Falcon street, East Boston; Joseph Milder, 1000 Harrison avenue, Roxbury.

Severally laid over under the law.

COMPENSATION FOR ELECTION SUPERVISORS.

The following was received:

City of Boston,

Office of the Mayor, December 18, 1922.

To the City Council:

Gentlemen,—Under authority contained in section 240, chapter 835, of the Acts of 1913, twenty-two supervisors of election were appointed to serve at the state election held November 7, 1922. The law provides that the compensation of supervisors shall be determined by the City Council, subject to the approval of the Mayor, and I respectfully recommend the adoption of the accompanying order.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Board of Election Commissioners,

Boston, December 15, 1922.

Hon. James M. Curley,
Mayor of Boston:

Dear Sir,—The Governor of the Commonwealth appointed for Ward 13, 22 supervisors, 2 for each precinct, to serve at the state election, November 7, 1922.

The statute provides that they shall receive such compensation as the City Council shall determine.

We recommend that the sum of \$6 be paid to each supervisor who served, making a total of \$132.

As there is no money available to meet this expense, we respectfully request that the sum of \$132 be transferred from the Reserve Fund as outlined in request inclosed.

Respectfully,
BOARD OF ELECTION COMMISSIONERS,
M. W. BURLIN, Chairman.

Ordered, That the rate of compensation of supervisors of elections appointed under the provisions of section 240 of chapter 835 of the Acts of 1913 be fixed at \$6 per diem each, to be paid from the appropriation for Election Department.

Referred to the Executive Committee.

PENSION FOR JOSEPH D. SULLIVAN.

The following was received:

City of Boston,

Office of the Mayor, December 4, 1922.

To the City Council:

Gentlemen,—I beg to forward herewith recommendation of pension for Joseph D. Sullivan, officer at the House of Correction, Deer Island, a veteran of the Spanish-American War, who, under the provisions of section 59 of chapter 32, can only be retired by the County Commissioners and Mayor acting jointly and whose petition for retirement has been submitted by him personally, being a veteran of the war and having served the required number of years.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Institutions Department,
Boston, September 18, 1922.

Hon. James M. Curley,
Mayor of Boston:

Pension of Joseph D. Sullivan.

Dear Sir,—Joseph D. Sullivan, officer at the House of Correction, Deer Island, has this day applied to be pensioned under section 56, chapter 32, General Laws.

I beg to report that Doctor McGaffigan has examined the officer and finds that he is incapacitated for further service, because of neuritis and flat feet. He is also suffering from inflammation along the genito-urinary tract.

He has been in the county service since May 24, 1909, and is fifty-three years of age. He is a veteran of the Spanish-American War.

Section 59, chapter 32, provides that the retirement authority shall be the County Commissioners and the Mayor. I assume, therefore, that the City Council will probably act upon this petition for retirement, subject to your approval.

I am inclosing a certified copy of Mr. Sullivan's birth certificate and a copy of his discharge from the army.

Because of the above information I am of the opinion that Mr. Sullivan's request for a pension be granted.

Respectfully submitted,
DAVID J. JOHNSON, Commissioner.

Annexed were copies referred to.
Referred to the Executive Committee.

OPINION ON STREET RAILWAY LOCATIONS.

The following was received:

City of Boston,
Office of the Mayor, December 11, 1922.

To the City Council:

Gentlemen,—I beg to submit herewith opinion of Corporation Counsel, the same being submitted in reply to order of your Board adopted under date of November 13, 1922.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department,
December 6, 1922.

Hon. James M. Curley,
Mayor of Boston,

Honored Sir,—You have submitted to me for my opinion the following order of the City Council:—

Ordered, That the Corporation Counsel be requested, through his Honor the Mayor, to inform the City Council as to whether or not the granting of track locations and extensions in the City of Boston comes under the jurisdiction of the City Council."

By section 7, chapter 463, Acts of 1906, part 3 (now General Laws), section 7, chapter 161), the Board of Aldermen of a city or the selectmen of a town are authorized to grant locations in public ways for street railways, subject to the approval of the Department of Public Utilities. By section 64, chapter 463, Acts of 1906, part 3 (now General Laws, chapter 167, section 700), authority is given to grant extensions of track locations in public highways to the Board of Aldermen of a city or the selectmen of a town, subject to the approval of the Department of Public Utilities.

By section 28, chapter 486, Acts of 1909, (city charter), the jurisdiction exercised by the Board of Aldermen concerning "the use of the public ways for any permanent or temporary obstruction or projection in, under or over the same, including the location of conduits, poles and posts for telephone, telegraph, street railway, or illuminating purposes," is vested in the Board of Street Commissioners, to be exercised by that Board, with the approval, in writing, of the Mayor.

In my opinion railway tracks must be considered as projections and obstructions in and over public ways and therefore the granting of track locations and extensions in the City of Boston no longer comes under the jurisdiction of the Board of Aldermen (in Boston, the City Council), but is now under the jurisdiction of the Street Commissioners and the Mayor.

Mr. Thomas M. Babson, former Corporation Counsel, in a communication to the City Clerk, dated February 18, 1910, arrived at the same conclusion.

Yours respectfully,
E. MARK SULLIVAN,
Corporation Counsel.

Referred to the Executive Committee.

ACQUISITION OF ELKS HOSPITAL, PARKER HILL.

The following was received:

City of Boston,
Office of the Mayor, December 11, 1922.
To the City Council:

Gentlemen,—I have conferred with the Grand Lodge officials of the Benevolent and Protective Order of Elks with a view to acquiring the property commonly known as the Elks' Hospital at Parker Hill, Boston, for the use by the city for the treatment of the chronic sick. The property in question represents an investment of approximately one half million dollars and has been used as a reconstruction hospital by the Federal Government since early in 1918.

The same generous impulse which prompted this patriotic American organization, the Benevolent and Protective Order of Elks, to tender this institution to the Federal Government for an annual rental of \$1 in order that immediate and necessary medical and surgical service might be afforded those maimed in the World War is again evidenced by their willingness to co-operate with the City of Boston in the solution of one of its most important problems from the humanitarian standpoint.

The transfer of the chronic sick from Long Island to Parker Hill would result in their receiving the very highest character

of medical and surgical service which today is impossible, owing to the location of Long Island.

The transfer of the chronic sick from Long Island to Parker Hill Hospital and later upon the abandonment by the Federal Government of the property at West Roxbury, where it is possible to house the poor, should result in a solution of this all important problem that will be conducive to the happiness of the unfortunates and a blessing to the community.

The price submitted by me to the Grand Lodge officials of the Benevolent and Protective Order of Elks for the property was \$75,000, this sum to cover the transfer of title to land and buildings known as the Elks Hospital, Parker Hill, but this offer was purely tentative, since neither the committee representing the Grand Lodge officials of the Benevolent and Protective Order of Elks or myself could reach a final determination until favorable action had been taken by the Council and approval given at a formal meeting of the National officers of the Benevolent and Protective Order of Elks.

It is desirable that early action be taken by the Council and I accordingly recommend the adoption of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

Ordered, That the Institutions Commissioner of the City of Boston be and is hereby directed to submit in behalf of the City of Boston a tender in the sum of \$75,000 for purchase of property designated as Elks Hospital, Parker Hill, Boston.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Evelyn L. Birkenmeyer, for compensation for damage to clothing by a street cleaning barrel on sidewalk on East street.

E. E. Bowen, for compensation for damages caused by the caving in of sidewalk at 290 Sumner street, East Boston.

Frank P. Chinchio, for compensation for injuries caused by a hole in sidewalk at 6 Portland street.

John Connors, Jr., for compensation for injuries caused by a defect in sidewalk at 40 Monument square.

Rose Egan, to be paid for clothing damaged by fluid from a chemical engine of the Fire Department.

General Electric Company, for compensation for damage to car by a city car.

Elizabeth V. Gildea, for compensation for injuries caused by a defect in Cambridge street, Allston.

Alice H. Hancock, for compensation for damage to clothing by mud at 30 Vose avenue, "due to faulty work on water shut-off."

Florence Joyce, for compensation for injuries caused by a defective sidewalk at 3 and 5 Burney street.

Merrimac-Rome Company, for compensation for damage to property at corner Chardon and Green streets, by leak in water main.

Savoy Improving and Exporting Company, for compensation for damages at 138 and 140 Richmond street, caused by break in water service pipe.

Jeremiah Shine, to be reimbursed for expense of repairing house drain at 14 East Brookline street.

Angelina M. Slattery, for compensation for injuries caused by a defect in highway at Tovar and Bowdoin streets, Dorchester.

Mary V. Stilphen, for compensation for injuries caused by a defect in sidewalk at 84 Kingston street.

Ada H. Tack, for compensation for injuries caused by a hole in sidewalk at 680-682 Washington street.

Frank Tays, to be reimbursed for collapse of boiler at 156 Washington street, Brighton, caused by city employees clearing pipes in street.

Tichnor Bros., Inc., to be paid for claim arising out of order for soldiers' and sailors' "Appreciation Certificates."

Arlington Cement Block Company, for compensation for damage to automobile on ferryboat "General Sumner."

Mary Bonugli, to be paid for expense of raising her land on Boardman street, East Boston, to the street level, etc.

John J. Byrne, to be paid for an overcoat stolen from him while a patient at the City Hospital.

Lena Kaplan, for compensation for injuries caused by a defect in sidewalk at 445 Meridian street.

Edna S. Chadwick, for compensation for injuries caused by a defect in highway at Huntington avenue and Forsyth streets.

Mrs. James B. Churchill, for compensation for injuries caused by a fall on stairs in City Hall Annex.

W. H. Cunningham, for compensation for injuries and for damage to clothing caused by a fall on ferry slip.

Thomas B. Foley, M. D., to be paid for damage to automobile by a city ash cart.

Mrs. Flora Geller, for compensation for injuries caused by a defect at corner Washington and School streets.

L. Golden, M. D., for compensation for damage to car by a wagon of the Public Works Department.

Claire Keeley, for compensation for injuries caused by a fall at 97 Baxter street.

Mary Keeley, for compensation for injuries caused by a fall on sidewalk at 97 Baxter street, South Boston.

Elizabeth K. Kohler, for compensation for injuries caused by a fall on Dudley street.

H. J. Kresser, for compensation for damage to automobile of the city.

John Laws, to be paid for a glass sign at 28 Avery street, broken by city employees.

John F. Leavitt, for compensation for damage to automobile of the Fire Department.

Jeanette M. Long, for compensation for injuries caused by a fall on Summer street, at entrance to the South Station.

Mosher Garage, for compensation for damage to car on Tremont street by a chemical truck of the Fire Department.

Mrs. Israel Pastern, for compensation for injuries caused by a defect at 2 Pinckney road.

Joseph Rugo, to be paid for loss caused by delay on contract for construction of a field house at Allston Playground.

Executive.

Ellen C. Green, to be retired under the provisions of chapter 765, Acts of 1914.

Lillian F. Brown, for permit for children under fifteen years of age to appear at Roslindale Municipal Hall, December 15.

John J. Hayes *et al.*, that the name of Maverick square be changed to Grady square.

Jitneys.

Petitions of Boston Elevated Railway Company for licenses to operate jitneys, viz.: Junction of Brooks and Faneuil streets, Brighton, and the Boston & Albark Railroad bridge on Cambridge street, Allston. Junction of Faneuil and Brooks streets, Brighton, and Union square, Allston.

SALARY INCREASES, POLICE MATRONS.

The following was received:

City of Boston,
Police Department,
December 15, 1922.

Honorable City Council, Capt. David J. Brickley, President:

Gentlemen,—Referring to the accompanying order relating to increases in salary of police matrons, the same requiring concurrent action of the City Council and the Police Commissioner, I respectfully submit the names of the following persons with their present salaries and the salaries which I think proper at this time.

Trusting that your honorable body may agree with me in this matter, I am,

Yours respectfully,
HERBERT A. WILSON,
Police Commissioner.

MATRONS.

	Present Pay, Per Annum.	Proposed Rate.
At the House of Detention:		
Mary E. Smith, chief matron...	\$1,600	\$1,700
Mary Kenney, assistant chief matron.	1,400	1,500
Genevieve Barretta, matron...	1,200	1,300
Elizabeth Kirby, matron.....	1,200	1,300
Theresa Wahlers, matron.....	1,200	1,300
Katherine F. Webb, substitute matron.	1,200	1,300
At Division 9:		
Bridget Keenan, matron.....	620	720
At Division 10:		
Catherine Reagan, matron....	620	720
At Division 13:		
Lizzie C. Harley, matron.....	350	400
At Division 14:		
Mary C. Nymman, matron....	250	300
At Division 19:		
Catherine Donovan, matron...	350	400

Ordered, That in concurrence with the Police Commissioner, the salaries of police matrons be established to take effect February 1, 1923, as follows:

	Per Annum
Chief matron	\$1,700
Assistant chief matron	1,500
Three matrons	1,300
One substitute matron (for time actually served)	1,300
Division 9, one matron	720
Division 10, one matron	720
Division 13, one matron	400
Division 14, one matron	300
Division 19, one matron	400

Referred to the Executive Committee.

NOTICES OF HEARINGS.

Notices were received from the Street Commissioners of hearings on Monday, December

18, Tuesday, December 26, and January 2, on petitions for storage and sale of gasoline. Referred to the Executive Committee.

CONSTABLES' BONDS.

The City Treasury, after having duly approved of the same, submitted the constables' bonds of James V. Fallon and Charles B. Palmer.

Approved by the City Council.

RESTRICTION OF BOOK OF AMERICAN WARS.

A communication was received from the Library Trustees relative to removal from the catalogue of the Library of Helen Nicolay's "Book of American Wars," stating that the librarian had been instructed by the trustees to restrict the circulation of the aforesaid book to adult readers. (Said action followed order of City Council.)

The communication was placed on file.

Coun. WATSON—Mr. President, I ask unanimous consent to make a statement.

President BRICKLEY—There being no objection, the counselor may.

Coun. WATSON—Mr. President, about one week before election a political organization circulated through the mails and in the press a pamphlet and, in a manner, referred to the candidates for the City Council to be voted on last Tuesday. It spoke highly of one candidate, killed with faint praise another, helped elect another to this body, and assailed myself and another who was elected to this body also. During the campaign there was no opportunity or, if any, slight opportunity to reply to the attack made upon me by that organization, both in its pamphlet and in its very full newspaper distribution. Today I intend to take a little time of the Council to reply to that organization and to its pamphlet, although it might go without saying that the returns of the vote cast last Tuesday ought to be sufficient, but that merely retires from the political arena this organization of seven, and I speak now so that my remarks about them—not individually, because they are not worth consideration as individuals, but as an imaginary organization—may be a matter of record for future generations to read.

The pamphlet, which took somebody's good money to print and to distribute, which met with cold reception even in the homes of the elite and the aristocracy, and one hundred per cent so in the homes of the intelligent, is in my hands. Its story concerning me is all wrong. It said of my education that I went to the Dudley Grammar School. They knew, and everyone knew that knew me, that my education was limited to the primary school. It also referred to the fact that at some time I voted in Ward 21. I never voted in Ward 21 in my life, but Ward 21 was the ward from which one Arthur Joslin, a former contributor to and a member of the executive committee of this reform organization and always a member of the Loyal Coalition, was convicted of having stuffed the ballot box some years ago. He may be one of the invisible members of that very small organization today.

It goes on and says several other things which are incorrect. It did not refer to the fact that for the past three years I had been not a salesman but a member of a concern of reputation in the community and today am the sales manager of that concern. In their opinion, I am "a perpetual office seeker"—"with success" they failed to add. "Conspicuous in the Council as a hindrance to the intelligent consideration of public business, we advise his defeat." Now, Mr. President, what is it that has made me conspicuous in the Council as a hindrance to the intelligent consideration of public business? Has it been my pronounced opposition to the Edison Illuminating Company? Has it been because

of my pronounced objection and protest against permitting to be read and used in our public schools histories that are an insult to Americans, both native born and those who become naturalized as such? Is it because I have stood on the floor of the Council and, without mincing words, have called a spade a spade? If they call that a hindrance to public business then I plead guilty.

But I do not call that a hindrance to public business, because this year this body of which I have been a member has been a constructive one. I have sat here every day in the year. We have never failed of a quorum. We have voted at roll call on practically every important measure. We have voted here this past year nearly thirty million dollars of the public money and just merely a light insinuation for political effect was raised by an annex to the Good Government Association. I said at the hearing before the Finance Commission in April, in the very statement that I had there with me which they permitted me to express, that, unconsciously or otherwise, the Finance Commission was becoming attached to the tail of the Good Government Association, and I reiterated it, that either consciously or otherwise they have been used for political effect, but with slight success, and properly so.

I had rather a left-handed compliment paid me by the chairman of that committee. He publicly acknowledged that I was one hundred per cent honest in my public life. I preferred such an indorsement from elsewhere, but I will accept it from whence it comes, because I do not know that they know what one hundred per cent honest is, as they, too, are not immune from either money dishonesty or ambitious dishonesty. I will not go beyond the bounds of propriety. I will not attack them. In my opinion, serving any interest for higher honors in public life is just as corrupt as taking the coin of the realm. When a man will sit in a position and use his position to exalt himself or be promoted to higher office in serving the interests that are forceful and influential on Beacon Hill, in my mind he is just as corrupt as a man who may take money for something he does while holding a high office.

And I refer now not to the chairman of the Finance Commission—although the day may come when I may have to refer to him in the language in which I will refer to others. Have you seen the indorsements and the promotions for others who have served as the watchdogs of the treasury—the treasury of the other fellows—not alone to protect it but for what they get out of it—the watchmen of the treasury of the City of Boston? Where were the watchmen when Nathan Matthews handed over his Oxford place property to Stuart street? Where was the watchman when the Legislature, without our consent or act, said that Stuart street should be 60 feet—a most assinine proposition for a street designed to relieve congestion! No civil service organization made up of people interested in the future of the city would have permitted the widening of Stuart street to a width of less than 80 feet; and I have been told that by planning boards in Washington, Philadelphia, Baltimore and New York within a few days, and I think their opinion is shared by our own planning board.

Whenever they want something they go and serve the interests. Mr. Matthews did not serve as chairman of the first Finance Commission for his health. I do not mean to say that he picked anybody's pockets. He perhaps did not try—he did not need to; but he was clever in extracting things that result in the same thing as picking pockets. He succeeded in handing to the city a lot of property that was going and going fast for the extension of Stuart street, and he was able to collect from the Albany road for smoke nuisances in advance. His Oxford place property has been the source of great revenue to him, and that is all because he was chairman of the Finance Commission.

The next chairman was John A. Sullivan, for whom I hold no brief and have nothing

against. We disagreed frequently. Mr. Sullivan, as chairman of the Finance Commission, with the consent and co-operation of the then Finance Commission, made up of Mr. Moors, Mr. Sullivan and others, evaded the civil service law by having the counsel of that Board today, John C. L. Dowling, made junior counsel of the Board in order to evade civil service. He was then secretary of the Finance Commission, and the Civil Service Commission said he held the office in violation of the civil service laws and in order to continue he must take an examination for the position, and fearing he might not be able to pass it he was made junior counsel and evaded civil service thereby, although John A. Sullivan was the attorney. But I think Mr. Sullivan has done penance for his sins; I think he sees his mistake.

Then going to the next chairman we have George Flynn. I respect him. He is a judge on the bench, a real red-blooded man, but he goes from the Finance Commission to the bench. Influence again! If it wasn't used for him it was used against him. So I anticipate that Mr. Michael Sullivan will be elevated shortly. I say it may be legally proper to do it but morally wrong, just as wrong as taking money out of people's pockets.

I intend to take only a few moments more, Mr. President, because we have with us Mr. McFarland, Mr. Hill, and Mr. Sullivan of the Law Department concerning the lighting situation. I was elected to the City Council, I believe, on three issues. Once was that, even though I do not suppose some people approve of my conduct, they thought that I was averagely honest. Remember there was only one perfect man, and that was two thousand years ago almost. He has never had a rival since and never will, and I am not competing with Him at this day. I am only averagely honest. I am a little "leery" of these honest Johns, and honest Walkers, and honest Jims. Watch them!

Now a word for the *Herald*, the paper that has helped elect me four times. Mr. President, think of that success! We may not have this charter many more years, but if it is changed I trust that the Legislature will show some degree of intelligence and not take something that imaginary reformers hand them. They handed this charter to us, and the Democrats have controlled it since. They want to amend it, I presume. If they do, we will control it just the same. We have the brains and they have the power. It is brains against brute strength. The *Herald* spoke on Sunday, through a man by the name of Carens,—not a Carey but a Carens. He writes very much for the *Herald*. He said I wore spats up at the Elks Club. I did, but I took everything the Good Government did, including their spats. I went to Washington and spent a few days in the Senate Chamber, and I lost my spats.

The *Herald*, which is the real imaginary reformer concerning a question under investigation by the Finance Commission—John told Minnie, and Minnie told Charles, and Charles told Horace and Lincoln O'Brien got it finally—the *Herald* said on Sunday in an article written by Mr. Carens, referring to the charter and to the election, that a minority decided the election. No, a majority decided the election. A majority of the people registered to vote remained at home satisfied with the present Council. The minority came out and a large part of it voted intelligently and elected your humble servant, the President, and the former editor of the *City Record*—circulation 100. I have no quarrel with Mr. Healey. I think he will make a valuable member of the Board, I doubt not as valuable as Miss Luscomb, who is in the gallery, I believe. Miss Luscomb made no ridiculous promises. I think "Bill" did. Miss Luscomb said she is responsible for improvement of the Council. She can share that glory with me. I am as much responsible for it as she.

The *Herald* said, speaking of Mr. Healey's great vote—I am sorry, Mr. President, that Mr. Hill is kept waiting—I think he will enjoy it—the *Herald*, pointing to the popularity of Brother Healey, showed how well he stood in his home locality by the magnificent vote he got in Wards 1 and 2. Admitted. They are Democratic wards, and "Bill" is a Democrat when he works at it, and I am a Democrat. Then it spoke about Councilor Brickley, and that I, James A. Watson, ran 200 votes ahead of Councilor Brickley in his home ward. Everybody that knows the Council knows that Ward 23 is not where his home is. That is where his people live, and being a bachelor he has a right to live where he pleases. His ward is Ward 6, and he carried it.

But it did not say a word about my vote in home district. It did not say that in Precinct 10 of Ward 13, where I live, out of 192 votes cast I got 184. It did not say that in Wards 13 and 14, where I have lived all my life, that Watson received 1,245 in Ward 13 and Healey 310, and in Ward 14 Watson 1,802 and Healey 437. They did not say that in Ward 1 Watson got 604 and Healey had 1,173, in Ward 2 Watson 607 and Healey 1,153, a total for the two wards in East Boston, where Healey lives, of 2,326 votes for Mr. Healey, and 1,211 for Watson, a majority of 1,115 for Mr. Healey where he was best known, and yet I was fairly close. But in Roxbury, where I have lived all my life, where they know me best, both morally and socially and politically, and where Mr. Healey is fairly well known, as much so as I am in East Boston, I received a total vote in the two wards of 3,047, and Healey received 740, a majority for Watson in Wards 13 and 14, where he lives and is known, over Healey of 2,307—within 10 votes of the total votes cast for Mr. Healey in East Boston as a majority. They do not mention that. No, that is to my credit. But what's the use? I am "poor Jerry, poor Jerry!"

One more word and I am through. I intend to continue my activity in this body along the same lines as I have in the past. I do not propose to trim my sails an iota. I do not propose to be artificial. I do not propose to remain silent when I have something to say. I am going to continue as I have all my life to be frank and open and above board, that my friends and enemies alike need not guess what I mean. I propose to say "yes" when I should say "yes" and "no" when I should say "no," and I am not going to equivocate for the pleasure of being expedient or to please somebody whom I do not intend to please.

I intend to hand to the stenographer the Boston *Post* editorial, that is, the last prayers at the grave of McCaffrey *et al.*—George H. McCaffrey, Jr., George R. Butter, Mrs. Charles I. Clark, Mr. Pinanski—first name unknown to me at present. I will furnish it from the bible of the Goo Goos—Abraham E. Pinanski. He will have it changed and abbreviated later. Instead of Pinanski it will be "Pin." We may add "head" later—"Pinhead." Charles J. Nichols, William Minot, Eliot Jones, Robert B. Stone, and George H. McCaffrey, looking for a job. May the good Lord rest their souls!

THE G. G. A. TICKET.

"The *Post* does not feel it can conscientiously endorse the Good Government nominees for the City Council. Had the Good Government Association recognized the signs of the times, made its organizations thoroughly democratic and representative of the entire city; frankly and publicly allowed a discussion within the organization of the merits or demerits of all candidates, there would be little ground for criticism.

"Unfortunately, the Good Government Association has evolved into an autocracy. Its decisions, too, savor of the machine. Often excellent candidates are passed by because of practical politics. The association has shed its role of an advisory body and adopted that of a political party.

"We are not impressed with its candidates for the coming election. Councilor Watson, for whom certainly the *Post* has no personal liking, deserves better treatment than the association gives him. He has broadened out greatly in the past few years, dropped a good deal of his flippant demagoguery and settled down to business. He has been far more often on the right side than on the wrong. He has developed distinct possibilities for good which should be encouraged.

"John P. Higgins of the West End, a brilliant young man, who worked his way through college, has a fine record in the navy and is a chemist of standing, is the type of man the city needs. Yet he is cast aside for the reported reason that a certain political leader of his district would not support him.

"We believe, too, that John J. Lane, a clean-cut, industrious, popular young business man, rejected presumably because he might not bring enough political strength to the ticket, deserves to be considered an entirely acceptable candidate.

"The sharp criticism of James T. Purcell is unjustified. Mr. Purcell is a man of substance, an honest, honorable citizen and widely respected. The fact that he was a supporter of Mayor Curley one year ago is no argument against him, as the association supposes. There was plenty of other good men in that position.

"There are others, too, on the list discarded by the association who would have fared vastly better were a good strong dose of practical democracy injected into the body of the G. G. A.

"We have no particular criticism of the slate chosen by the Good Government Association except that the names by no means represent the cream of the field. Nor would the three nominees have secured designation in a properly constituted body representing the entire city.

"The *Post* has, in the past, given its support to the candidates of the Good Government Association. It will not do so this year. We cannot support a movement which has strayed so far away from democratic moorings."

I regret that I am obliged to interject into this statement of mine something concerning a rumor that I believe is well founded concerning the possible action of the School Committee, made up of Charles S. O'Connor, Richard Lane, Miss Curtis, Frederick Bogan, and Doctor Scannell. I have it on authority that I consider reliable that they are going to deny the request of this Council, of the American Legion, of the G. A. R., the Sons of the American Revolution, the Veterans of Foreign Wars, the Knights of Columbus, the Descendants of Signers of the Declaration of Independence, and other patriotic American organizations, that they remove from the schools the unAmerican histories called "American Histories" by Professor Ward, Professor Hart and Professor Muzzey. I trust that my informant is incorrect but I think he is correct. They are going to deny. I believe, the removing from our schools of these books, and I want to pay tribute to the Library trustees for their partial obedience of our request concerning Miss Nicolay's book on American wars. No child should be permitted to read it, and it is great to have a broadminded body like that take the advice of this body and remove it from the hands of the youth. Later I believe they will remove it from the hands of the elderly people. Why protect the children and not protect the new country children, those who come from abroad and become citizens by naturalization although of advanced years? They should not be permitted to use the books that our children are not permitted to use either.

The New York City school committee of twenty-one superintendents, principals and teachers, after six months' official investigation, found all the accused texts "unfit for use in public schools," and Ward's book, Professor Muzzey's book, and Professor Albert

Bushnell Hart's book have been removed. They said: "The heroic history of a nation is the drum-and-fife music to which it marches. It makes a mighty difference whether America continues to quick-step to 'Yankee Doodle or takes to marking time to 'God Save the King.'"

Professor Hart said, and the School Committee know it, "The colonists liked to think of themselves as part of the British Empire." Fine stuff to teach the rising youths! "They were proud of being Britons." That is news to me. "They were as well off as any other people in the world." This is the voice of Professor Albert Bushnell Hart of Harvard College, saying that the colonists were as well off as any other people in the world, when seventeen of their statements in the Declaration of Independence state that they were dissatisfied and disgruntled and properly so. He says: "The colonists were not desperately oppressed." In so many words he says they were not justified in '75 in trying to throw off the yoke of Great Britain. "They enjoyed more freedom and self-government than the people in England." We were taxed for everything to support an army here sent here by the King of England. All these are things that have been brought to the attention of the School Committee. "Thousands of good people sincerely loved Great Britain and were loyal to King George. . . . The loyalists were harshly put down." What genuine, hundred per cent red-blooded American could agree to that kind of bosh from the pen of the great professor of history of Harvard College, Professor Hart? He says further that Jefferson was looked upon "as an atheist, a liar and a demagogue." That is in Professor Hart's book in part, and I might read much more.

But in Ward's book, referring to Washington it says: "If you had called him an 'American' he would have thought you were using a kind of nickname. He and his fellow colonists were proud that they were Englishmen; they gladly and loyally served an English king because he represented the freedom without which they thought life not worth living." And they died at Bunker Hill, at Concord and Lexington for what? According to Professor Ward—for fun. I might read much more from Ward's book. One or two more extracts would do no harm. He says this: "So the American Revolution was a contest between German tyranny and English freedom, although neither party in the struggle knew that this was the issue." Now there is a villain in the story and we learn a very useful truth about English freedom. Germany was responsible for the oppression of the colonists. That is news to me. And that is taught to our school children.

Then Muzzey: I do not know that I need read it. It is filled with the same kind of stuff. Here is one quotation, and I will stop: "When we review, after a century and a half, the chain of events which changed the loyal British-American of 1763 into rebels in arms against their king in 1775, we see that the cause of the Revolution was a difference of opinion as to the nature of the British Empire, namely, whether the abuses of the king's ministers justified armed resistance." They are teaching that to our children in our schools, and I anticipate, I am sorry to say, that the School Committee will deny the request of this body to remove the books from their schools.

And in conclusion let me cite, as against their decision that I anticipate, this—the words of Washington, Webster, Lincoln, Cleveland and Roosevelt. Washington said: "Against the insidious wiles of foreign influence, I conjure you to believe me, fellow citizens, the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government." Webster said: "I shall know but one country. The ends I aim at shall be my Country's, my God's and Truth's. I was born an American; I live an American; I shall die an American; and I intend to perform the duties incumbent upon me in that

character to the end of my career." Lincoln: "Let us re-adopt the Declaration of Independence and with it the practices and policy which harmonize with it." Cleveland: "The immortal spirit of our domain lives in us. There it must find its nutriment or die. The land we live in is safe as long as we are dutifully careful of the land that lives in us." Roosevelt: "There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room but for one flag, the American flag; and we have room but for one soul loyalty, and that is a loyalty to America."

Against the anticipated decision of the School Board, made up of four out of five members who are descended from the Celts—a Scannell, a Lane, an O'Connor, and a Bogan—I anticipate an unfavorable decision. But, oh, have they forgotten the adopted country and its history of their dads? Have they forgotten that we here in America are as a heaven-light to liberty loving people, and that we desire no entanglements with any foreign country? Do they realize that we will toady to no country; that we are just as much opposed to pro-Irish propaganda, pro-Italy propaganda, pro-French propaganda, pro-German propaganda, any anti-American propaganda, as we are to pro-British propaganda? My attack is on this pro-British propaganda that is in our country today by Professor Albert Bushnell Hart of Harvard College, for whom there is great interest being shown by the Board because he belongs at Harvard. Is it because, as is well rumored and founded and believed in fact, and perhaps they are not denying it, that in 1917 England sent a special envoy to America by the name of Balfour? He arrived in New York, and the present Mayor, then Mayor Curley, served a notice on Lord Balfour not to come to Boston to an official reception when he was not invited here. Who knows that Balfour came to Boston, that he dined with a high official of the School Committee at that time, that he dined with the president of a great college in England? Why the secrecy at that time? Was it then prepared and arranged for the foundation of this British propaganda from out of Harvard College and from the pens of Professor Ward and Professor Muzzey in our schools? We desire to be friendly with England as long as it serves our interest, protects our blessed heritage and the blessed name of the patriots and our blessed institutions—just so long and no longer.

And in conclusion I will say this, that I will not rest an hour from now until the next election for the School Board that I won't propaganda above board for the defeat of those who desire to toady to a small number of influentials and intellectuals who desire to reform others but not themselves and do their bidding because they have an A. B. from Harvard. A little word from a big business graduate at Harvard gets one member of the School Committee. A professorship in something else gets another, and so on until they are bought body and soul without the knowledge of even themselves. Mr. President, I have had my say, and in conclusion I want to say that I trust the remains of the late political campaign presided over by George McCaffrey, at so much per week and dictated to by another man, another reformer in the West End, that they will rest in peace.

TRACK LOCATION.

A copy of an order was received from the Street Commissioners granting 19th location to Boston Elevated Railway Company, for track curves on Neponset avenue.

Placed on file.

STREET RAILWAY POLICE.

Notice was received from the Boston Elevated Railway Company, through the city of

Cambridge, of appointments of street railway police officers.

Placed on file.

EQUAL PAY, TEACHERS.

The following was received:

City of Boston,
Board of Election Commissioners,
December 15, 1922.

Hon. James Donovan,
City Clerk.

Dear Sir,—We hereby certify that at the state election held in the City of Boston, November 7, 1922, the vote upon the following question:

Shall the representatives from this district be instructed to support the passage of an Act at the coming term of the General Court ordering the School Committee of the City of Boston to make effective, during the current school year, the economic principle of "equal pay for equal service and no further discrimination because of sex" in the matter of teachers' salaries in the schools of Boston.

DISTRICT..	Yes.	No.	Ballots Cast.
1st Suffolk	2,223	2,483	5,880
2nd Suffolk	1,671	1,533	4,263
3rd Suffolk	1,983	1,761	4,762
4th Suffolk	1,809	1,692	4,616
5th Suffolk	1,839	2,027	5,636
6th Suffolk	2,282	1,796	5,180
7th Suffolk	3,881	2,091	7,448
8th Suffolk	4,011	2,638	8,133
9th Suffolk	2,102	2,250	5,594
10th Suffolk	2,654	2,882	6,564
11th Suffolk	2,746	2,827	6,770
12th Suffolk	2,298	2,185	5,651
13th Suffolk	2,396	1,857	5,771
14th Suffolk	2,663	3,046	7,159
15th Suffolk	2,681	2,918	6,930
16th Suffolk	3,305	2,640	7,233
17th Suffolk	3,053	3,361	7,618
18th Suffolk	2,728	3,075	7,219
19th Suffolk	6,657	6,462	15,451
22nd Suffolk	6,588	8,406	17,644
24th Suffolk	5,887	5,241	13,490
25th Suffolk	3,233	2,409	6,554
26th Suffolk	2,245	2,214	5,401

Respectfully,
MELANCTHON W. BURLIN,
THOMAS E. GOGGIN,
FRANK SEIBERLICH,
JAMES F. EAGAN,

Board of Election Commissioners.

Placed on file.

NOTICE OF MUNICIPAL ELECTION VOTES.

The City Clerk received notice from the Board of Election Commissioners as to choice of three members of the City Council for terms of three years each, viz.:

David J. Brickley, 299 Temple street; William C. S. Healey, 193 Webster street; James A. Watson, 38 Thornton street.

School Committee—Frederick L. Bogan, 41 Landseer street; William G. O'Hare, 21 Bartlett street.

Installation of accounting system by the Commonwealth—Yes, 27,474; no, 14,430.

Shall licenses be granted for the sale of certain non-intoxicating beverages in this city—Yes, 35,011; no, 18,926.

Placed on file.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions of sixty-three newsboys and forty-two vendors for minors' licenses—recommending that the same be granted.

Reports accepted; licenses granted on the usual conditions.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a report in accordance with the provisions of law certifying that certain persons had been employed in his office from November 27 to December 18, and that work had been performed to the amount of \$7,498.98.

Pay roll approved.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for payment of aid to soldiers and sailors and their families in the City of Boston for the month of December.

Report accepted; order passed.

ANNUITY FOR MRS. WILLIAM H. BARKER.

Coun. FORD offered an order—That an annuity of \$600 be allowed and paid to Henrietta H. Barker, widow of William H. Barker, a member of the Fire Department, who died from injuries received in the performance of his duty; said annuity to be charged to the appropriation for Fire Department, Pensions and Annuities.

Referred to the Executive Committee.

SHUTTING OFF CITY WATER.

Coun. Walsh offered the following:

City of Boston.

In the Year Nineteen Hundred and Twenty-two.

An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Chapter 28 of the Revised Ordinances of 1914 is hereby amended in section 22 by inserting after the word "necessary," on line 16, the following: Provided, however, that it is represented to the department that the life of any tenant would be endangered by shutting off the water, and upon examination the city physician so finds, the water shall not be shut off while such condition exists.

This ordinance shall take effect upon its passage.

Referred to the Committee on Ordinances.

SIGNS, PIERCE SQUARE.

Coun. GILBODY offered an order—That the Commissioner of Public Works be requested, through his Honor the Mayor, to cause suitable signs to be erected in Pierce square, Dorchester Lower Mills, to designate Adams street, Dorchester, and Adams street, Milton.

Passed under a suspension of the rule.

ELECTRIC LIGHT, MATHER STREET.

Coun. GILBODY offered an order—That the Commissioner of Public Works be requested, through His Honor the Mayor, to install an electric light in front of estate No. 50 Mather street, Dorchester.

The question came on the passage of the order.

Coun. GILBODY—Mr. President, I want to move suspension of the rules and ask for passage of the order. This street location is in the rear end of the Shawmut Station of the New Haven road, and the other end on Centre street is well illuminated but on this end it is perfectly dark, and I am asking to have this light put in for the benefit of at least seven or eight hundred residents in the district.

The rule was suspended and the order was passed.

INFORMATION AS TO ITEM TRANSFERS.

Coun. HAGAN offered an order—That the Budget Commissioner send to the City Council a record of all transfers as made from one item to another in all city departments during the present fiscal year.

Referred to the Executive Committee.

RECESS TAKEN.

The Council voted at four o'clock p. m., on motion of Coun. WALSH to take a recess subject to the call of the President.

The members of the Council assembled in the Council Chamber and were called to order by the President at 5.35 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petitions of Ellen C. Green (referred today) for retirement under the provisions of chapter 765, Acts of 1914—that the order ought to pass, viz.:

Ordered, That the Retirement Board for Laborers be hereby requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, Ellen C. Green, employed in the labor service of the City of Boston in the Public Works Department.

Report accepted; order passed.

2. Report on petition of Lillian F. Brown (referred today) for permit for children under fifteen years of age to appear at Roslindale Municipal Hall, December 15—that a permit be granted.

Report accepted; permit granted on the usual conditions.

3. Report on order (referred today) that the Budget Commissioner send to the City Council a record of all item transfers in departments during the present fiscal year—recommending the passage of order in the following new draft, viz.:

Ordered, That the Budget Commissioner send to the City Council a record of all transfers as made from one item to another in all city departments during the fiscal years the segregated budget has been in vogue.

Report accepted, order passed, yeas 7, nays 1, Coun. Watson voting nay, Coun. Watson asking for the roll call.

4. Report on message of Mayor and communication from Institutions Commissioner (referred today) for retirement on pension of Joseph D. Sullivan—recommending the passage of the following, viz.:

Ordered, That under the provisions of chapter 32, section 56, of the General Laws, that Joseph D. Sullivan, officer at the House of Correction, Deer Island, and a veteran of the Spanish-American War, be and hereby is retired at an annual pension equal to one half of his present annual salary.

Report accepted; order passed.

5. Report on message of Mayor, communication and order (referred today) that the rate of compensation of supervisors at state election be fixed at \$6 per diem each—that the order ought to pass.

Report accepted; order passed.

6. Report on message of Mayor and order (referred today) to submit a tender of \$75,000 by Institutions Commissioner for purchase of property designated as Elks Hospital, Parker Hill—that the order ought to pass.

Report accepted; order passed.

RAILWAY LOCATIONS GRANTED BY STREET COMMISSIONERS.

Coun. DONOGHUE offered an order—That the Street Commissioners, through his Honor the Mayor, furnish the City Council with the number of locations granted to the

Boston Elevated Railroad Company, the West End Street Railway Company, the Eastern Massachusetts Railroad Company, and any other railroads or railways operating within the city limits since 1909 down to the present date.

The question came on passage of the order.

Coun. DONOGHUE—Mr. President, I do not want to rehearse what I said in the executive meeting, but I just merely want to say as a matter of record that I am entering this order as a protest against the decision which has been handed down to us by the Corporation Counsel of our city relative to the granting of track locations, which in his opinion as rendered today comes under the jurisdiction of the Street Commissioners. In my opinion it does not come under the jurisdiction of the Street Commissioners, despite the ruling of the Corporation Counsel, and I feel that any layman without any knowledge whatever of law would never interpret, or would never countenance any interpretation of the act which has been quoted in his decision as saying that the matter of track locations comes under the jurisdiction of the Street Commissioners. I do not intend to allow the matter to rest with the opinion of the Corporation Counsel because while I know that we cannot appeal directly from his decision I feel that there is a means whereby we can obtain action against the Elevated securing any further locations, track locations in our city, through the equity court. And I think that it is about time that someone took some decisive action to bring back to the Council at least a little of the prestige that we ought to have. It is about time that these decisions which have been passed on to us by the Corporation Counsel with the old whisperings around us that "you haven't any power, and there isn't any appeal," ought to be cast into the basket or into the discard and some action taken to compel these men that make rulings which are so utterly unfair, which are so far beyond the ordinary intelligent interpretation of the act of the Legislature, realize that someone is going to start action in another line to compel them in the future to render a fair opinion and fair interpretation upon any matter which is submitted to them for their interpretation. I have no personal quarrel with the now Corporation Counsel, nor with any other Corporation Counsel, but I feel that we have all been under the impression that they must make their rulings so as to take away from the Council whatever vestige of power it might have so as to eliminate practically entirely the powers of this City Council, and I do not think that that is as it should be, and I do not think that that is as the citizens of our city expect or want it to be. I believe that they feel that the elected public officials of the City of Boston should be vested with some authority and some power and that all the power that belongs to this body, and which in every other city and every other town in our Commonwealth is vested in similar bodies should be brought back and given to this body and not taken away from us. No special legislation for Boston, no interference with Boston. We have had altogether too much interference, too much special control, and it is very near time and the time is fast arriving when the citizens of Boston demand the right to rule Boston themselves and not be governed by commissions and not be governed by appointees of either the Governor or the Mayor of our city, and I hope that the order will pass.

The order was passed.

LEGALITY OF RAILWAY LOCATIONS.

Coun. WATSON offered an order—That a committee of three members be appointed by the President to inquire into the legality of the locations granted to railways and railroads by the Street Commissioners since 1909 to date.

The rule was suspended and the order was passed.

Later in the session the President appointed as said committee, Coun. Watson, Moriarty and Donoghue.

TRANSFER OF CITY LAND.

President BRICKLEY called up Nos. 1 and 2, unfinished business, viz.:

1. Ordered, That his Honor the Mayor be and hereby is authorized in the name and behalf of the City of Boston to execute and deliver to Dominick Morello of Boston, County of Suffolk and Commonwealth of Massachusetts, a lease of a lot of land consisting of about 960 square feet, being the land numbered 24 Warren avenue, in Charlestown district, said lot being located on the easterly side of said Warren avenue on the corner of Water street, for a period of ten years at a yearly rental of \$200, payable yearly in advance, reserving to the said city the right to terminate or cancel said lease by giving to the lessee, his successors in title or legal representatives thirty days' notice in writing of the city's intention so to do; said lease permitting said Morello to erect on said lot of land a building or structure to be approved as to its position on said lot and as to its height and construction by the Commissioner of Public Works of said city, the form of said lease to be approved by the Law Department of the City of Boston.

On November 27, 1922, the foregoing order was read once and passed, yeas 7, nays 0.

2. Ordered, That his Honor the Mayor be and he hereby is empowered for a nominal consideration to execute and deliver a lease to Fred P. Davis of 1,200 square feet of land on Washington street, in that part of Boston called West Roxbury, for a term of five years, reserving to the City of Boston the right to cancel said lease by delivering to said Davis, or his legal representatives, thirty days' notice of such cancellation; said lease to be satisfactory in form to the Law Department. No building is to be placed on said land except in accordance with plans approved by the Commissioner of Public Works as to the position of any building to be erected on said land and as to the construction of said building.

On November 27, 1922, the foregoing order was read once and passed, yeas 7, nays 0.

The orders were given their final readings and passed, yeas 7, nays 0.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.50 o'clock p. m., on motion of Coun. DONOGHUE, to meet on Tuesday, December 19, at 1 o'clock p. m. to draw jurors and to meet on Wednesday, December 27, at two o'clock p. m. for the regular meeting.

CITY OF BOSTON.

Proceedings of City Council.

Tuesday, December 19, 1922.

Special meeting, held in the Council Chamber, City Hall, at one o'clock p. m., for the purpose of drawing jurors, President BRICKLEY in the chair and a quorum present.

Jurors were drawn in accordance with law (the Mayor being present), viz.:

Twenty-two grand jurors, Superior Criminal Court, to appear January 2, 1923.

John P. Finn, Ward 1; Michael Hourigan, Ward 1; George E. Quinn, Ward 2; Francis J. Lane, Ward 4; William T. McCracken, Ward 4; Michael F. Durant, Ward 5; John Roche, Ward 5; John F. Graham, Ward 6; John M. Doyle, Ward 7; John H. Daley, Ward 8; Patrick J. Conroy, Ward 9; Michael J. Holland, Ward 9; James L. McDermott, Ward 10; Martin F. Kelly, Ward 11; Timothy Cashman, Ward 13; Charles J. Foley, Ward 13; John O'Brien, Ward 13; Christian A. Emmel, Ward 14; Joseph B. Howland, Ward 14; Peter Noonan, Ward 19; Daniel H. Brennan, Ward 23 Michael J. Donovan, Ward 26.

Adjourned at 2.01 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Wednesday, December 27, 1922.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent, Coun. Ford, Hagan, Lane.

APPOINTMENT OF CONSTABLE.

The following was received:

City of Boston,
Office of the Mayor, December 27, 1922.
To the City Council:
Gentlemen,—Subject to confirmation by your honorable body, I appoint Hyman Collier, 161 Ruthven street, Roxbury, to the position of Constable of the City of Boston for the term ending April 30, 1923.

Respectfully,
JAMES M. CURLEY, Mayor.

Laid over under the law.

REIMBURSEMENT OF JUDGMENT
AGAINST FIREMAN DONOHUE.

The following was received:

City of Boston,
Office of the Mayor, December 20, 1922.
To the City Council:
Gentlemen,—I beg to forward herewith data relative to the case of Sweet v. Donohue, which was an action brought against Hoseman Francis P. Donohue of the Fire Department to recover for damage to automobile caused by the skidding of Engine 39 while responding to Box 1281 on December 21, 1921. The plaintiff has obtained a judgment against Hoseman Donohue, who was the driver of the engine, for the sum of \$867.51, and I recommend the passage of the accompanying order, under the authority of chapter 41, section 100, of the General Laws.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Ordered, That there be allowed and paid to Francis P. Donohue the sum of \$867.51, in reimbursement of the amount of a judgment recovered against him on account of damage to automobile on December 21, 1921, by fire apparatus driven by said Donohue, said sum to be charged to the Reserve Fund.

Referred to the Executive Committee.

TAKING OF LAND, BATH STREET.

The following was received:

City of Boston,
Office of the Mayor, December 27, 1922.
To the City Council:
Gentlemen,—I beg to transmit herewith opinion of the Corporation Counsel and draft of order in connection with the taking of 17 feet of land in addition to what has already been approved by your honorable body on Bath street. This land-taking is necessary to insure the proposed development there which will, it is estimated, add some three million dollars' worth of taxable property to the city.

I accordingly recommend the adoption of the accompanying order by your honorable body,

Respectfully,
JAMES M. CURLEY, Mayor.

City of Boston,
Law Department, December 27, 1922.
Hon. James M. Curley,
Mayor of Boston:

My dear Sir,—I enclose herewith an order to be submitted by you to the City Council

in regard to a new discontinuance and conveyance of a portion of Bath street and revoking the order approved by you on August 8, 1922.

The engineers of the Post Office Square Company have slightly changed their plans, necessitating some changes in the lands to be conveyed to and by the city and for which an increased amount will be paid. The old order called for the payment to the city of \$47,370. The new order calls for the payment to the city of \$48,000, which latter sum is suggested by the Corporation Counsel and Mr. Hunneman, attorney for the company.

As this order must have two readings not less than fourteen days apart, I will ask you to forward the order to the City Council today if you conveniently can.

Very truly yours,

CHARLES FRANK DAY,
City Conveyancer.

Whereas, It is proposed that a portion of Bath street, containing an area of 1,813 square feet, more or less, as shown on a plan dated November 23, 1922, and signed by Aspinwall & Lincoln, Civil Engineers, shall be discontinued:

Ordered, In event of such discontinuance that the Mayor, in the name and behalf of the city, is hereby authorized to release and quit-claim to the Post Office Square Company, its successors or assigns, by an instrument in writing satisfactory to the Law Department, all the right, title and interest which the City of Boston may have in the said land at the time of or after the said portion of said street is discontinued, and also in and to a triangular parcel of land containing about 17 feet lying west of Bath street and bounded northerly by the southerly end of the Delta Building property, upon payment to the city of the sum of \$48,000; and upon the further consideration that the Post Office Square Company shall without compensation convey or cause to be conveyed in fee to the City of Boston for street purposes a parcel of land containing 187 square feet, more or less, which is now located on the southeasterly corner of Post Office square and said Bath street, as shown on a plan signed by said engineers and dated December 21, 1922.

Ordered, That the order relating to this matter approved August 8, 1922, be and the same is hereby rescinded.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Fred Affsa, for compensation for damage to car by a city car on Hudson street.

Israel N. Binder, for compensation for injuries caused by the negligent operation of a city automobile.

Martha J. Boles, for compensation for damages at 30 Westville street, caused by blasting.

William Humphrey Coolidge, for compensation for damage to automobile by a city cart on Tremont row.

William Cox, for compensation for injuries caused by a fence out of repair on Dorchester avenue, near Kemp street.

Jennie Eyles, for a hearing on her claim for injuries caused by a defect in Brinsley street.

J. Harry Hines, for compensation for damage to automobile caused by a defect in roadway at 268 Brookline avenue.

Edward F. Kelly, to be paid for an overcoat destroyed by fire when the toolhouse in which it was kept was burned, said toolhouse being at Nassau street and Harrison avenue.

Linscott Motor Company, to be reimbursed for expense incurred at 29 Brookline avenue on account of break in water main in Beacon street.

F. H. Murphy, for compensation for damage to truck by fire apparatus at junction of Chardon and Merrimac streets.

Louis Rothstein, to be paid the amount due him from the Supply Department.

Shawmut Paper Box Company (by Lyle A. Brown), for compensation for damage to car by a defect in Cottage Farm Bridge.

Walter S. Wynter, to be paid for extra work on his contract for removal of refuse, etc.

F. W. Zemeir, for compensation for damage to car by a team of the Sanitary Service at 32 La Grange street.

County Accounts.

Communications were received from the Justice of the East Boston District Court, determining the salaries of the probation officer and the probation officer for wayward and delinquent children.

Executive.

John W. Kelley, to be retired under the provisions of chapter 765, Acts of 1914.

AMENDMENT TO STATE CONSTITUTION.

Notice was received from his Excellency the Governor proclaiming the promulgation of the sixty-seventh amendment to the Constitution of the Commonwealth of Massachusetts.

Placed on file.

NOTICE OF APPOINTMENT.

Notice was received from his Honor the Mayor of the appointment of Michael J. Reidy as Street Commissioner, a certified copy of the same having been sent to the Civil Service Commission.

Placed on file.

NOTICE OF INTEREST IN CONTRACT.

Notice was received from Joseph F. Feeney, Overseer of the Public Welfare, of his interest in contract with the Supply Department.

Placed on file.

NOTICE OF HEARINGS.

Notice was received from the Street Commissioners of hearings on Monday, January 8, 1923, on petitions for keeping and storage of gasoline at various locations.

Placed on file.

LAND PURCHASE, BALDWIN PLACE.

The following was received:

The Finance Commission,
Boston, December 19, 1922.

To His Excellency the Governor and the Honorable the Senate and House of Representatives in General Court Assembled:

To the Honorable the Mayor and City Council of the City of Boston:

Under the charter amendments of 1909 establishing the Finance Commission (see sections 17 to 21, inclusive, of chapter 486 of the Acts of 1909) the commission is charged with the duty to investigate from time to time any and all matters relating to appropriations, loans, expenditures, accounts and methods of administration affecting the City of Boston or the County of Suffolk, or any department thereof, that may appear to the commission to require investigation, and to report thereon from time to time to the Mayor, the City Council, the Governor or the General Court.

On April 10, 1922, the Mayor of the City of Boston sent to the City Council a loan order for \$70,000 for the establishment of a playground at Baldwin place in the North End of the City of Boston. The order was rejected by the Council on June 5, 1922.

On July 31, 1922, the president of the Council, who had voted to reject the order on June 5, introduced an order for the same amount and for the same purpose. The order received the unanimous vote of the Council on July 31, 1922, and again at its final passage on August 14, 1922.

On October 7, 1922, the city took certain lands in Baldwin place by eminent domain in accordance with the terms of the loan order above referred to. On November 8, 1922, upon receiving deeds of conveyances of the land from the owners, the city paid them \$62,600. Complaints were received by the Finance Commission concerning the passage of the loan order, which convinced the com-

mission that an investigation was necessary. The commission began taking evidence on November 13, 1922, and beginning November 20, 1922, and on thirteen days thereafter, the commission conducted public hearings on the matter and had the evidence taken verbatim.

In addition to the executives and to the legislative bodies to which the Finance Commission is directed to report the results of its investigations, it was advised by Attorney-General Attwill, in a letter dated November 15, 1917, that whenever an investigation conducted by the commission disclosed evidence which seemed to show that a crime might have been committed, it was proper for the Finance Commission, if indeed it was not its duty, to bring to the attention of the official having the duty of prosecution of such crime the facts disclosed by its investigation.

The Finance Commission is of the opinion that the evidence taken in this investigation should be presented to the District Attorney, and accordingly has this day delivered to the District Attorney for Suffolk County a copy of the evidence taken at the public hearing and a copy of this report.

Respectfully submitted,

MICHAEL H. SULLIVAN,
Chairman,
COURTENAY GUILD,
JOHN F. MOORS,
J. WALDO POND,
The Finance Commission.

Placed on file.

MAJORITY AND MINORITY REPORTS, SCHOOL HISTORIES.

A communication was received from the School Committee transmitting the majority and minority reports on the question of excluding certain histories from use in the public schools.

Coun. WATSON—Mr. President, before this matter is placed on file I desire to say a word if I may have the report for a moment. Mr. President, I want to say, concerning the decision of the School Board on the matter of the hearing granted by them upon the request of this body relative to the removing from the hands of future citizens certain school histories now in use and in use for many years in the schools, that I have great respect personally for every member of the School Committee—for the two members who were the minority in this report, the two of the three members who made up the majority, and for the other member who straddled the question although voting with the majority. This School Committee majority of three against two concerning Professor Hart's book and Professor Muzzev's book has set up its opinion as against the opinion of such patriotic organizations as the American Legion (national), Descendants of the Signers of the Declaration of Independence, Grand Army of the Republic, Knights of Columbus, Sons of the American Revolution, United Spanish War Veterans, and Veterans of Foreign Wars, and even the New York School Committee. In its report, which I have read in another place, in the Boston *Advertiser*, which prints verbatim the doings of the School Committee, Miss Curtis and Doctor Scannell unequivocally and without qualification signed the majority report, refusing to grant the request made of the School Committee concerning the removal of Professor Hart's book and Professor Muzzev's book from the schools. I respect both Doctor Scannell and Miss Curtis. I expected that vote from Miss Curtis because it is the environment in which she has passed the greater part of her life, which is the atmosphere of the leaders of Harvard College. And Doctor Scannell, who has always been more or less a man with a good spine, has always been leaning that way and has always been elected to the School Board as a candidate of the Public School Association. For both of them I have much admiration because I expected they would do this, and I think perhaps from this point of view can justify it. The two minority members concerning this particular issue are Mr. O'Connor and Doctor Bogan. I think the public generally to a very great extent—not by a narrow margin of a few but by a great preponderance of the public both in Boston and in Massachusetts and the United States—agree with their decision in favor of re-

moving these books from the hands of the growing youth, both boys and girls. We presented very strong opposition to these books. When I say "we" I mean myself among others, Mr. Prout of the Knights of Columbus, Charles Grant Miller, director-general of the Patriot League for the Preservation of American History, and representatives of the Veterans of Foreign Wars and the American Legion. We also furnished a letter from the president of the National Sons of the American Revolution, Judge McCambert of either Washington or Oregon—one of those two Pacific Coast States. The opposition to our position was one—Professor Hart; and Professor Hart being very closely connected with Harvard, being their leading professor in history, naturally had much at stake. Others had more at stake than he; he was an author but the publishers had much more at stake. Despite the preponderance of evidence on the side of the proponents of the removal of these books, the School Board took a vote of 3 to 2—and really 2½ to 2½, because the fifth member made a decision in signing the report which was a perfect straddle. I fail to find here his appendix to the majority report. I am told it is here. If I may be pardoned a moment I will take but a little more time of the members. Oh, yes, David D. Scannell and Frances G. Curtis wind up the majority report by stating:

"The School Committee, therefore, having given due consideration to the matter, is of the opinion that the criticisms against these two books are not sufficient to justify their exclusion from the authorized list, and directs that the City Council be so informed. DAVID D. SCANNELL and FRANCES G. CURTIS."

They constitute two of the five members. Then we have:

"The undersigned, while in agreement with the foregoing report, is, nevertheless, of the opinion that the Board of Superintendents should see that in any future revision of these two books certain statements therein contained, which this report and the accompanying review do not approve, are omitted or modified by the authors or publishers. RICHARD J. LANE."

In other words, the majority, which in this case is Mr. Lane, because the vote is 2 against 2—Mr. Lane says that the contention of the petitioners is correct, and that there are objectionable sentences or phrases in these books, and that while he agrees with the majority report he recommends that when there is revision of these books the authorities should inform the authors or publishers that certain objectionable phrases should be eliminated or modified. Therefore we have a report that is not a majority report, because Mr. Lane agrees with both sides. He ought to have answered the roll-call and said, "Present and not voting." His very appendix to the decision satisfies me that that would have been the proper position for him to take. I know, and those who were present know, that I was attacked in the School Committee by Mr. Lane and belittled, to the great satisfaction of many of the members, for having played politics with an important question, and behind closed doors they pulled me over the coals, which is nothing new with me. That is continual with me. I enjoy it and I thrive on it. But six to ten millions of dollars of the taxpayers' money is spent, and we have here, frequently Miss Luscomb, who is the watchdog of the Council, or the watchdog. If she was not here I would feel lonesome. Miss Luscomb pointed with great pride to her campaign, and justly so, and said under her leadership perhaps instead of having public meetings in the executive committee room, the smaller room, that we come out in the larger room where more could hear us, and perhaps it was wise because more have heard us since. But, of course, the meetings were always public. She made a mistake. But if the Women's league, or political machine—maybe I use the word "machine" wrongfully, but she will use it later—but if the women's organizations were interested in the protection of the taxpayers' money and were after publicity concerning the doings of the body having the expenditure of a large sum of money and charge of the welfare of future citizens, they would go up to the School Committee and demand a little more light on their conduct, and Miss Luscomb might let us enjoy her presence every other week. The committee needs it up there. I was hauled over the coals by those people, but it does not matter to me. Sometimes straws indicate the way the wind blows. I was told that a lady member of the Lane family has

just been elected vice president of the Women's City Club. That is the first step. The next step will be to make her president, and then "Dick" Lane will go over body and soul to the people who will use us for a dustrag when they want us. That is not my own opinion. They will get to these fellows who come from the red-blooded into these organizations, and then later they will invite them to their parlors on Beacon street, or to the City Club, and give them a law case with money in it and condescend to meet them in common and shake hands with them, up here rather than down here, and the first thing you know they have gone over body and soul to the minority and to those who speak to them only when they want to use them. That is what Mr. Richard Lane has done. But I also am a sinner: I voted for him. The Lord knows I make a lot of mistakes. During the campaign they were continually talking of my honesty, and I objected because I said I would admit that I was either honest or clever, and some of my friends say I am clever, but I still claim I am honest. But Mr. Lane voted half a vote to permit to remain in the schools books which he admits are unfit and should be revised and changed. I want to inform the School Committee here and now publicly, that the contest for the removal of the books and other books from the schools which are unfit for Americans to read has not stopped; it has merely started, and that we will have a movement shortly that will at least make their ears tingle. I won't say make their ears tingle, because Miss Curtis and Doctor Scannell undoubtedly delivered their votes according to their opinion and best judgment. Concerning Mr. Lane I cannot say as much because he did not deliver. He delivered a vote without any backing behind it. He just ducked the question and said the books are wrong in substance but let them stay there until they are revised. They will never be revised, and consequently the growing children will have the opportunity of reading a history that is not pro-American but that is anti-American from these books. I think I have said all I care to. I might read into the record extracts from these two books which are objectionable, but I do not desire to take any further time of the Council, but I do desire to say that I have a high regard for Doctor Scannell; in fact, we are personal friends; and for Miss Curtis, whom a year ago I supported because I believe there should be a woman on the School Board and the School Board should not be all one way, and I respect her because it is her point of view, that is her opinion. I believe it is an honest one. But I do desire to applaud the action of Doctor Bogan and Mr. O'Connor. And concerning Mr. Lane, I am sorry that he has not some of the backbone that Doctor Scannell has, which he needs sadly. I move that the report be placed on file.

The communication was placed on file.

BRANCH LIBRARY, HEATH SQUARE.

President BRICKLEY offered an order—That the Trustees of the Boston Public Library be requested, through his Honor the Mayor, to locate and maintain a branch library and reading room at Heath square, corner of Parker and Heath streets, Roxbury, for the convenience of the pupils of the Jefferson and Lowell Schools located in that neighborhood, and for the use of the adult residents of the locality.

Passed under a suspension of the rule.

APPROVAL OF LEGISLATION CONCERNING BOSTON.

Coun. WATSON offered the following:

Ordered, That the Boston City Council respectfully and unqualifiedly requests of the General Court of the Commonwealth of Massachusetts and his Excellency the Governor that any and all legislation passed at the coming session of the Legislature beginning January, 1923, that has to do with the City of Boston, be submitted for acceptance or rejection to either the voters of the city or to the City Council and Mayor.

Ordered, That the City Clerk be instructed to forward a copy of this order to his Excellency the Governor and to the clerks of the Massachusetts Senate and House, respectively.

Coun. WATSON.—Mr. President, I think that this is the proper time for the City Council to start a movement and call for assistance to the movement for home rule for Boston. Anybody who knows anything about Boston's history must know

that in all things big and little Boston has blazed the way for many, many years, not only for the state but for the nation. Every good idea, improvement, institution for the cure of ills and for the advancement of society has proceeded, so far as the Commonwealth is concerned at least, from Boston. I read with much pleasure and much interest last night a book showing the history of the Psychopathic Hospital, and how it was built and how it became a living thing rather than something on paper, and in this history I read from authentic data that in 1842 Charles Dickens was in Boston, and upon his return to London wrote several articles that became reading matter for the world, at least the English-speaking world, and there was a reference in one of these documents to the asylum in South Boston. He spoke highly of the institution for the care of the mental sick in South Boston, which was established in 1842, the first one established by a municipality or a town in the United States; and the treatment accorded the inmates and the latitude allowed them by those who had them in charge and the apparent happiness under the circumstances they enjoyed there, Dickens describes in language that no one can duplicate. And so all our great things, our institutions, we lose later on. The state takes them. Later on the state does that and does this, and each year from 1842 down to the present time the state, not only under Republican administrators but under Democratic governors, has been, knowingly or unconsciously, taking from Boston the right to home rule and centralizing power on Beacon Hill. And the Federal Government, following in the footsteps of the state, has been slowly but surely encroaching upon the rights of the State of Massachusetts and other sovereign states of our country. So today I believe is the time and place and hour for this body to go on record emphatically in favor of no more interference in Boston's affairs by the Commonwealth. Boston can manage her affairs. Boston has managed her affairs for years, and I do not take exception to the conduct of affairs back in the so-called "politician's day," the "gang day," back in the days when Boston had home rule, back even to the days when she appointed and controlled her own police commissioner. Boston prospered then and more progress was made in those days in a given time than has been made since in a given time under presumed "reform" auspices I might go on indefinitely concerning this subject, but anyone who is a student at all—and I am not much of a student, but with my limited ability and knowledge and opportunities I read quite a little on matters which I think are of benefit to me as a public servant—I know that this centralizing of power is dangerous. I know that when many control things the public knows what is going on, and when the many know things, things are bound to be right, and if they are wrong, they may exist for a while but through one of many different means they will soon be restored. That is not true with one-man power. I have a high regard for the Governor of the Commonwealth, Mr. Channing Cox; I have a great regard for him; I think he is a grand man and an able man, but I would not intrust for a moment in his hands the destiny of this state, its people, or any city or town in the Commonwealth or its people. It is a dangerous power to give to any man. The centralizing of power is dangerous. It is growing daily, and if it is not stopped we are going to crash sooner or later. There is no question about it in my opinion, and I understand that I am fortified in this opinion by men who are far more able than I, greater students and with greater knowledge of the history of the rise and fall of great countries and great nations. The state must stop. The City of Boston through its electorate, the voters, are entitled to just the kind of government they vote for. If I am not suited to represent them, and I do not represent them properly, and I am not a proper person to represent them, they have the power to remove me; and if they do not use the remedy then you must agree with me that they are content with me and with the rest of us here as we sit. They elected Mayor Curley. Everybody knows that it was an almost miraculous election. No man, even his supporters, excepting those who were afraid of his apparent success, thought he would be elected. I supported him, but I had no more thought that he was going to win than I have of flying out of that window. But it was a protest of the people. The people were satisfied with him. The people believed in him and did not believe in his opponent or his opponent's backers; consequently he was

elected. Then there were elected also to this Council three members, and of course it must naturally follow that the people were satisfied when they elected those three. This year they have elected for the coming year of 1923-24 the President of this body and your humble servant and another, and we must necessarily feel that they are satisfied with what we have done, or may do, or they would not have returned us here. The talk about the minority vote, the 63,000 being cast, why, that is easily explained, Mr. President. There is one thing on which I will not take a back seat from anybody except a few. I will take it from our learned City Clerk, Mr. Donovan, who knows more about politics in a minute than I do in a week; but excepting him and a few others I do not take a back seat as a student of political affairs as they apply to Boston—I won't do it. I am satisfied that the small vote cast was not because the people were disgusted with the candidates or with the charter, or because of the weather. The story is this, that during the campaign in state and city for Governor and Mayor, in the years when those elections take place, there are tremendous campaign funds used, there is tremendous activity among the supporters. The newspapers are interested daily in their editorials and the candidates are quoted freely. And what happens? The people are excited on the subject of politics. It is a joke on the stage. Every club-room has a joint debate every night. The churches are interested pro and con, and even at the table in the home there is an exciting time. Everybody becomes interested. Everybody is worked up, and the voters go to the polls in big numbers—for instance, anywhere from 79 to 83 or 84 per cent of the total registered vote. But less than 30 per cent, I am told, went to the polls in the last city election, of which I was a beneficiary and a welcome one. I got quite a good vote. I am well satisfied. When you stop to think out of your home district, where you are presumed to be bad, you get 184 votes out of 192 cast, you are pretty well satisfied—even though I am one of those 184 that voted for Watson, and it goes without saying that I did not vote for Watson alone. The reason why there was a small number out is because the nineteen candidates did not spend much money. I understand by the reports on file that I spent the largest sum on the election—\$1,001—and thank God! the bills are all paid; at least I will make you think so, anyway. The whole nineteen candidates did not spend as much as was spent in East Boston and Charlestown by either of the candidates for Mayor last year, and much less than was spent by the candidates for United States Senator in the primary in those districts. So when you figure that less than \$19,000 was spent by nineteen candidates, with no vehicles to take people to the polls, with bad going, with lack of workers at the polls, with no circular campaign, and all that, that is the reason why there was a small vote cast. But the intelligent people voted for me and the others who were elected, and I think many intelligent people voted for some of the others. But I do want to say in closing that we are on the eve of a new year. Next Sunday is New Year's eve and the following day is the beginning of another year—1923. It is time we stopped tearing down. It is time that we—and I refer to the Mayor and to this Council, individually and collectively, and I refer to the Finance Commission, to the Legislature, to these political organizations, the Goo-Goos, for instance, to the large taxpayers and to the workers, the rent payers—it is time we stopped tearing down and did some constructive work. Boston's fair name has been maligned and blackened from Maine to California by several bodies over whom we have no control. The Finance Commission spent half a million dollars—\$468,000—by compulsion we give that to them, not by desire or wish, but we are obliged to by statute—they spent nearly half a million dollars in ten years, and not one single constructive thing has emanated from them as a body or from them individually. I was in Washington, Philadelphia and Baltimore right after the election and met several people whom I knew, and talked frankly with them and they with me, and the opinion they have of Boston is not fit to repeat, and all because a few self-appointed custodians of other people's morals and custodians of other people's good ways and manners, and even of their business, and who want to remove things from other people's closets but put good locks on their own closets,—they have been responsible for the fair name of Boston being maligned and

blackened from Maine to California. So, on the eve of the new year, as a constructive near statesman, I want to say that all of us should get together. I propose to support the Mayor of this city in many of his great undertakings, knowing that he will not meet with the support of those that should support him. I do not refer to this body at all. I will go to the Legislature to support meritorious propositions which tend toward the upbuilding of Boston. There is the widening of Cambridge street—and I want to congratulate him in favoring it, even though some not friendly or otherwise with him may be beneficiaries, but the great, big improvement overshadows the fact that some who do not deserve the benefit will be benefited, and I think he is to be congratulated on his wisdom and his magnanimous act in embodying that proposition into certain reforms and improvements which he is going to ask from the Legislature. I think, Mr. President, that the coming year will be the most prosperous year in the history of Boston, and we want to be a party to it. I am going to sacrifice a great deal of my natural conduct, will modify my conduct in action a trifle, although it will be artificial to some extent, and to humiliate myself to some extent if necessary, and join with any and all those who believe in the upbuilding of this city we all love, the greatest city in the United States, the city with the greatest possibilities, the city that can be the city beautiful, if we will but pull together. I believe that we are going to pull together. And, Mr. President, with these remarks and trusting that there will be co-operation here in this body with the Mayor, and that the Mayor will co-operate with this body as well, and that the city officials will co-operate with this body and with his Honor the Mayor, and that all will have the assistance of the Governor and the General Court in the matter of the upbuilding of this city that we all adore, and furthermore, that the newspapers will join in doing something to build up rather than tear down,—I trust, Mr. President, that out of a suspension of the rules the order I introduced will be passed.

The order was passed under a suspension of the rules.

Coun. MORIARTY in the chair.

HEALTH ORDINANCE.

Coun. WATSON offered the following:

City of Boston,

In the year Nineteen Hundred and Twenty-Two.
An Ordinance.

Be it ordained by the City Council of Boston, as follows:

No building, vehicle, structure, receptacle or thing used or to be used for any purpose whatever shall be made, used, kept, maintained or operated in the city, if the use, keeping, maintaining or operating of such building, vehicle, structure, receptacle or thing shall be the occasion of any nuisance, or detrimental to health.

Referred to the Committee on Ordinances.

REIMBURSEMENT OF D. DOHERTY COMPANY.

Coun. GILBODY offered the following:

Resolved, That the City Council of Boston favors legislation to reimburse the D. Doherty Company for losses sustained in delivering coal to the city for use in certain schoolhouses.

Coun. GILBODY—This is an order which I introduced here earlier in the session this year. It embodies a claim for coal sold during war-time, and when originally introduced the Mayor caused an extensive investigation to be made of it, and now I am satisfied of the justice of the claim, and my motion recalls the order before the body. It simply asks this body to tell the Legislature or some committee in the Legislature that we would favor the passage of the order. I ask suspension of the rules.

The resolution was adopted under a suspension of the rules.

RECESS TAKEN.

The Council voted at 3.20 o'clock p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 3.40 o'clock p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. WATSON, for the Executive Committee, submitted the following, viz.:

1. Report on petition of John W. Kelley (referred today) to be retired under the provisions of chapter 765, Acts of 1914—recommending the passage of the following, viz.:

Ordered, That the Retirement Board for Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter 63 of the Special Acts of 1915, John W. Kelley, employed in the labor service of the City of Boston, in the Public Works Department.

Report accepted; order passed.

2. Report on message of Mayor and order (referred today) paying the sum of \$867.51 to Francis P. Donohue in reimbursement of amount of judgment recovered against him on account of damage to automobile while he was driving fire apparatus—that the order ought to pass.

Report accepted; order passed.

3. Report on order (referred today) to pay, annuity to widow of William H. Barker—that the order ought to pass.

Report accepted; order passed.

4. Report on message of Mayor and communication from Law Department (referred December 18) concerning street railway locations—that the same be placed on file.

Report accepted; communication placed on file.

5. Report on message of Mayor communication and orders, referred today, for taking and sale of land on Bath street—that the order ought to pass.

The report was accepted, and the question came on giving the preamble and order its first reading.

Coun. MORIARTY—Mr. President, I am going to state that I am voting "yes" today. I am going to reserve the right to change my vote on all other orders, and I want to make it a matter of record so that we won't get so much newspaper notoriety from the crowd who are spending more money wrongfully without any return to the City of Boston—the Finance Commission. I make that statement.

The order was given its first reading and passed, yeas 6, nays 0.

The order will take its final reading not less than 14 days from date.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, No. 1, viz.:

Action on appointments submitted by the Mayor December 18, 1922, viz.:

1. Joseph M. Torr, to be a Constable.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 6, yeas 5, nays 1, and the appointment was confirmed.

President BRICKLEY called up unfinished business, Nos. 2, 3 and 4, viz.:

2. Thomas P. McNamara, to be a Weigher of Goods.

3. William A. Kelly, to be a Weigher of Beef.

4. John F. Bowman, Daniel F. Lauten, Mollie Berman, Arthur W. Hill and Joseph Milder, to be Weighers of Coal.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 6, yeas 6, and the appointments were confirmed.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 3.50 o'clock p. m., on motion of Coun. DONOGHUE, to meet on Monday, January 8, at 2 o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Friday, December 29, 1922.

Special meeting of the City Council, held in the Council Chamber, City Hall, at 12.30 o'clock p. m.,

for the purpose of drawing jurors under the provisions of law (the Mayor being present), viz.:

Four additional grand jurors, special grand jury, to appear forthwith:

Charles McGaffigan, Ward 5; Mark Lawrence Tempest, Ward 9; Henry Hansen, Ward 20; William A. Tucker, Ward 20.

Adjourned at 12.38 p. m.

CITY OF BOSTON.**Proceedings of City Council.**

Thursday, January 4, 1923.

Special meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Donoghue, Gilbody, Hagan, Lane.

**SWEARING IN OF W. T. A. FITZGERALD
AND J. J. ATTRIDGE.**

W. T. A. Fitzgerald was sworn in as Register of Deeds of Suffolk County by President BRICKLEY.

John J. Attridge was sworn in as Assistant Register of Deeds of Suffolk County by President BRICKLEY.

The President stated that he was in receipt of the bonds of the Register of Deeds and the Assistant Register of Deeds, and they were both approved.

The Council stood adjourned.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 8, 1923.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Hagan.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. Constables of the City of Boston: Abraham Krinsky, 187 Callender street, Dorchester; Michael Sapuppo, 178 Broadway, Boston.

2. Weighers of Coal: Louis A. Zwick, 1017 Columbus avenue, Roxbury; Mrs. Louis A. Zwick, 1017 Columbus avenue, Roxbury.

3. Marshall Lawrence, 65 High street, Boston, a Weigher of Goods.

Laid over under the law.

SALE OF FIRE DEPARTMENT MATERIAL.

The following was received:

City of Boston,

Office of the Mayor, January 8, 1923.

To the City Council:

Gentlemen,—I transmit herewith communication from the Fire Commissioner, relative to the sale of certain old material, the property of the Fire Department, and respectfully recommend the passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Fire Department, January 3, 1923.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—Permission is hereby requested to sell, through the Supply Department, the following old material:

Approximately four tons of old lead cable.

Approximately one ton of old lead.

Approximately two tons of old iron.

The sale of this material will amount to approximately \$550.

Very truly yours,

THEODORE A. GLYNN,
Fire Commissioner.

Ordered, That the Superintendent of Supplies be and hereby is authorized to sell, after public advertisement, a quantity of miscellaneous junk estimated to be worth approximately \$550, the same being the property of the Fire Department.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Fortune Amante, for compensation for damage to automobile on Warren Bridge.

John A. Anderson, for compensation for injuries received at the East Boston Ferry.

Sumner J. Cooper, for compensation for damage to automobile by a city team.

Anna Dupont, for compensation for injuries caused by a defect in Tremont street, at Temple place.

G. J. Galbraith, for compensation for injuries received and damage to automobile by a patrol wagon on Melville avenue.

Mrs. Edward T. Kimball, for compensation for damage to automobile by a city team on Green street, near Lynde street.

Nellie Long, for compensation for injuries caused by falling on ice in the yard of the Blackstone School.

Mrs. T. J. Morrissey, for compensation for damage to clothing by wire projecting from tree guard on Clement avenue.

Abraham Muddwar, for compensation for injuries caused by being struck by a City Hospital ambulance.

Riva Rosenbaum, to be allowed \$245 on account of error made in the City Collector's office.

Ivan B. Shedrick, for compensation for damage to truck, etc., caused by a defect in Broadway extension.

Wolf Aptaker, for compensation for damage by sewage at 325 Paris street.

William H. Crocker, for compensation for injuries caused by a fall on icy sidewalk at 73 Emerald street.

Winifred L. Conroy, to be paid for loss of pay and for expenses incurred on account of infection received while a nurse at the City Hospital.

Michael Damiano, for compensation for injuries received at the South Ferry.

Frances Dunn, for compensation for injuries caused by a fall due to ice and snow on sidewalk on Castle street.

Joseph Fulgoni, for injuries caused by being bitten by a city horse on Mt. Vernon street.

Sarah Gallagher, for compensation for injuries caused by a fall due to a hole in sidewalk on Carson street.

Walter A. Holman, for compensation for damage to premises at 136-140 Richmond street caused by break in water main.

Holman & Co., Inc., for compensation for damages at 134 Richmond street caused by break in water main.

Arthur T. Hughes, for compensation for damage to automobile by city cart No. 827.

John F. Leavitt, for compensation for damage to car by a Fire Department roadster.

Antonio Parissi, for compensation for damage to goods caused by break in water main in North street.

J. C. Pushee & Sons, for compensation for damage at 3 Randolph street caused by break in water main.

John J. Walsh, for compensation for injuries caused by a wooden landing and pipe stretched across entrance at 7 Lewis street, East Boston.

Margaret A. Williams, for a hearing on her claim for damages at 34 Florida street caused by overflow of sewer.

Petitions for damages caused by the bursting of water main in Boylston street, viz.:

Elizabeth A. Harding, 8 Maitland street.

Frida M. Hjelmberg, 8 Maitland street.

Mary L. Link, 8 Maitland street.

Jean B. Mason, 8 Maitland street.

Charles J. O'Keefe, 8 Maitland street.

Charles Seymour, 8 Maitland street.

Wolverine Realty Company, on Overland street, at its warehouse.

Executive.

Daphne Sullivan, to be retired under the provisions of chapter 765, Acts of 1914.

Mrs. G. M. Marden, for permit for children under fifteen years of age to appear at Huntington Chambers Hall, February 4.

UNCLAIMED BAGGAGE.

Boston & Maine Railroad, for leave to sell unclaimed baggage.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for thirty-five newsboys—recommending that the same be granted.

Reports accepted; licenses granted on the usual conditions.

CONSTABLES' BONDS.

The City Treasurer, after having duly approved of the same, submitted the constables' bonds of William J. Miller and Joseph M. Torr.

Approved by the City Council.

APPOINTMENT OF DEPUTY ASSESSOR.

Notice was received from the Mayor, through the City Clerk, of the appointment of John M. Hayes as deputy assessor of the City of Boston.

Placed on file.

RECORD OF TRANSFER ORDERS.

The Budget Commissioner submitted a summarized record of all transfer orders approved by the City Council during the fiscal years that the segregated budget has been in vogue.

(Annexed was the information asked for.)

Placed on file.

NOTICE OF HEARINGS.

Notices were received from the Street Commissioners of hearings on January 15 and January 22 on petitions for leave to store and sell gasoline at different locations.

Placed on file.

TWO PLATOON SYSTEM, FIRE DEPARTMENT.

City of Boston,
In the Year Nineteen Hundred and Twenty-three.

An Ordinance Concerning the Hours of Labor of Firemen.

Be it ordained by the City Council of Boston, as follows:

Sect. 1. The Fire Commissioner is hereby authorized and directed to arrange the officers and members of the fire department into two bodies or platoons, which shall be designated as a day force and a night force, and the day force and night force shall alternate on tours of duty every third day.

Sect. 2. The hours of duty of the day force shall be from eight o'clock ante meridian to six o'clock post meridian, and the hours of duty of the night force shall be from six o'clock post meridian to eight o'clock ante meridian; provided, that on every third day, for the purpose of alternating the day force with the night force and *vice versa*, the number of hours of duty herein stated may be exceeded, but one force shall be at liberty at all times, except as otherwise provided in section 3 of this ordinance.

Sect. 3. In case of a conflagration, the officer or board having charge of the fire fighting force shall have full authority to summon and keep on duty any or all of the members of the fire fighting force while the conflagration continues.

Sect. 4. The provision of this ordinance shall not repeal, affect or change any rule, order or ordinance now in force relating to the fire department, or the officers or members thereof, except as herein specified.

Sect. 5. All ordinances affecting the meal hours or days off of the members of the fire department are hereby repealed.

Sect. 6. This ordinance shall take effect February 1, 1924.

Coun. WATSON moved reference to the Committee on Ordinances.

President BRICKLEY—The Chair would state at this time that he would like to see the ordinance put through this year, if possible. There will be the question of hearings on the ordinance, and I would like to have the Committee on Ordinances meet this afternoon, if possible, taking action so that the matter will not go over until next year.

Coun. WATSON—I am perfectly willing that this shall go to the Executive Committee, which is just the same as the Committee on Ordinances. I withdraw my motion to refer to the Committee on Ordinances.

The ordinance was referred to the Executive Committee.

SIDEWALK, SACHEM STREET.

President BRICKLEY offered an order—That the Commissioner of Public Works make a sidewalk along both sides of SACHEM street, between Hillside and Calumet streets, Ward 14, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgstones, under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

REINSTATEMENT OF FRED L. CARROLL.

Coun. WATSON offered the following:

Resolved, That the City Council of the City of Boston favors the enactment of legislation to authorize the reinstatement of Fred L. Carroll in the Boston Fire Department.

Passed under a suspension of the rule.

REINSTATEMENT OF MICHAEL

W. O'MEARA.

Coun. MORIARTY offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Michael W. O'Meara as a member of the Boston Fire Department.

Passed under a suspension of the rule.

REINSTATEMENT OF FRANCIS L.

AMANN.

Coun. MORIARTY offered the following:

Resolved, That the City of Boston favors legislation for the reinstatement of Francis L. Amann in the Boston Fire Department.

Passed under a suspension of the rule.

ANNUITY FOR MRS. ANTHONY

FITZPATRICK.

Coun. MORIARTY offered the following:

Resolved, That the City Council of the City of Boston favors legislation to authorize the City of Boston to pay an annuity to the widow and children of Anthony Fitzpatrick.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.45 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 4.55 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted a report on petition of Daphne Sullivan (referred today) for retirement under the provisions of chapter 765, Acts of 1914, viz.:

Ordered, That the Retirement Board of Laborers be hereby authorized and requested to retire, under the provisions of chapter 765 of the Acts of 1914, as amended by chapter

63, of the Special Acts of 1915, Daphne Sullivan, employed in the labor service of the City of Boston in the Public Works Department.

Report accepted; order passed.

2. Report on petition of Mrs. G. M. Marden (referred today) for permit for children under fifteen years of age to appear at Huntington Chambers Hall, February 4—that permit be granted.

Report accepted; permit granted on the usual conditions.

3. Reports on communications from the Street Commissioners in regard to storage and sale of gasoline, giving notice of hearings on same, that various communications be placed on file, viz.:

Communication (referred November 13); communication (referred November 27); communication (referred December 4).

Reports accepted; communications placed on file.

4. Report on message of Mayor, communication and order (referred today) for the sale of Fire Department material—that the order ought to pass.

Report accepted; order passed.

5. Report on petition (referred December 18) to change the name of Maverick square, East Boston, to Grady square—recommending the passage of the following, viz.:

Ordered, That the open space between Maverick and Sumner streets, East Boston, known as Maverick square, be named and hereafter known as Grady square.

Report accepted; order passed.

JITNEYS.

Coun. FORD, for the Committee on Jitneys, submitted reports on petitions of the Boston Elevated Railway Company (referred December 18) for licenses to operate jitneys, viz.:

From Brooks and Faneuil streets, Brighton, to Cambridge street, Brighton.

From Faneuil and Brooks streets, Brighton, to Union square.

Reports accepted; orders passed.

SHUTTING OFF WATER.

Coun. WALSH called from the Committee on Ordinances, with unanimous consent, proposed ordinance submitted by him and referred to said committee December 18 in relation to the shutting off of water.

The ordinance was recalled and Coun. WALSH submitted as a substitute the following, viz.:

City of Boston.
In the Year Nineteen Hundred and Twenty-three.

An Ordinance.

Be it ordained by the City Council of Boston, as follows:

Chapter 28 of the Revised Ordinances of 1914 is hereby amended in section 22 by inserting after the word "necessary" on line 16, the following:

Provided, however, that if it is represented to the department that the life of any tenant would be endangered by shutting off the water, and if a physician designated by the city so reports, the water shall not be shut off while such condition exists.

This ordinance shall take effect upon its passage.

The question came on the passage of the ordinance.

Coun. DONOGHUE.—Mr. Chairman, as I understand that ordinance, things won't be much better than they are at the present time. The ordinance says, "Providing that the life of no resident is in danger where the water is shut off." I think in very many instances the life of a resident, or an inhabitant of a house is not in danger, but nevertheless, the health of the resident might be impaired by the turning off of the water. So that, if that order could be amended to read "health" rather than "life," I think it would be more in the nature of what Coun. Walsh intends to arrive at.

President BRICKLEY—The ordinance will have to be referred back to the committee if you want to change it.

Coun. DONOGHUE—I will vote for it as it is, then.

The rule was suspended and the ordinance was passed.

CONFIRMATION OF APPOINTMENT.

President BRICKLEY called up unfinished business, No. 1, viz.:

Action on appointment submitted by the Mayor, December 27, 1922, viz.:

1. Hyman Collier, to be a Constable.

The question came on confirmation. Committee—Coun. Walsh and Moriarty. Whole number of ballots cast 8, yeas 7, nays 1, and the appointment was confirmed.

GENERAL RECONSIDERATION.

Coun. FORD moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.20 p. m. on motion of Coun. MORIARTY, to meet on Monday, January 15, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 15, 1923.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun, Hagan.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation by the City Council the Mayor submitted the following appointments for terms ending April 30, 1923, viz.:

1. W. C. Church, 163 North Beacon street, Brighton, as Weigher of Beef.
2. Weighers of coal: Solomon J. Rubin, 551 Commercial street, Boston; Samuel Bieber, 104 Bickford street, Roxbury.

Severally laid over under the law.

SALE OF STEAMER "MONITOR."

The following was received:

City of Boston,

Office of the Mayor, January 15, 1923.

To the City Council:
Gentlemen,—I beg to transmit herewith communication received from Dr. David J. Johnson, Commissioner of Institutions, requesting permission to sell at public auction the steamer "Monitor" and respectfully recommend passage of the accompanying order.

Respectfully,

JAMES M. CURLEY, Mayor.

City of Boston,

Institutions Department, January 4, 1923.

Honorable James M. Curley,
Mayor of Boston:

Dear Sir,—Permission is respectfully requested to sell the steamer "Monitor," at public auction, the costs to be deducted from the returns of the sale, and the balance to be deposited with the City Collector.

The Supply Department will be requested to advertise for sealed bids in the City Record.

Very truly yours,

DAVID J. JOHNSON, Commissioner,

Ordered,—That the Superintendent of Supplies be authorized to sell at public auction, after advertising time and place of said sale, the steamer "Monitor," the proceeds of such sale, after deducting the cost thereto to be credited to reduction of debt.

Referred to the Executive Committee.

GRANTING OF STREET RAILWAY LOCATIONS.

The following was received:

City of Boston,

Office of the Mayor, January 10, 1923.

To the City Council:

Gentlemen,—I beg to forward herewith report of Street Commissioners with reference to street railway locations granted by the Board of Street Commissioners and covering the period from 1910 to date.

Respectfully yours,

JAMES M. CURLEY, Mayor.

City of Boston,

Street Laying-Out Department,
January 8, 1923.

Honorable James M. Curley,
Mayor of Boston:

Sir,—In response to your letter of December 20, 1922, transmitting an order of the City

Council relative to street railway locations granted by the Board of Street Commissioners, I beg leave to submit the accompanying report:

Respectfully,

JOHN H. L. NOYES,

Chairman.

LOCATIONS FOR TRACKS IN STREETS GRANTED BY THE BOARD OF STREET COMMISSIONERS FROM THE YEAR 1910 TO DATE.

West End Street Railway Company.....	293
Boston Elevated Railway Company.....	6
Bay State Street Railway Company.....	16
Eastern Massachusetts Street Railway Company	9
Old Colony Street Railway Company.....	6
Boston & Revere Electric Street Railway Company	2
Newtonville and Watertown Street Railway Company.....	2
Union Freight Railroad Company.....	3
Industrial, spurs (steam railroads).....	20
Total number	357

The locations granted by this Board, with the exceptions itemized below under the heading "New Locations," were for alterations of existing tracks, caused by widening the distance between tracks from 4 feet 6 inches to 5 feet, or for cross-overs, or for curved tracks, usually entering private property of petitioner.

NEW LOCATIONS.

West End Street Railway Company:

Geneva avenue, April 20, 1910.

Arlington avenue (Charlestown), May 10, 1910.

Southampton street, November 28, 1910.

Gaffney street, July 15, 1915.

Seaver street, October 13, 1915.

Lexington and Shelby streets, May 29, 1916.

Chelsea and Bennington streets, July 10, 1916.

Appleton street, September 17, 1918.

Broadway (Pleasant street), June 10, 1919.

North Beacon street, July 6, 1920.

Bay State Street Railway Company:

Ashland street, March 26, 1918.

Grove street, May 1, 1918.

Newtonville and Watertown Street Railway Company:

Brighton avenue and North Beacon street, May 31, 1910.

INDUSTRIAL AND SPUR TRACKS.

Locations for industrial tracks, so-called, were granted to the Union Freight Railroad Company on Northern avenue; to the Walworth Manufacturing Company on East and West First streets; to E. S. Hamlin *et als.*, on Mt. Vernon street. Spur tracks tap these lines from private property. Spur tracks were granted from the tracks of the Union Freight Railroad Company along Atlantic avenue. Spur track locations were also granted on Cypher, Alger, Granite, C, Bryant, (Roxbury) Linden, (Brighton) Mill, Preston, and South (Neponset) streets. These grants were made to the Wondermist Company, Felton & Son, Summer Street Extension Trust, United Drug Company, American Sugar Refining Company and the Emergency Destroyer Plant.

All of the above track locations are for the transportation of freight and are operated by steam power.

Placed on file.

ORDINANCE CONCERNING CITY RECORD.

The following was received:

City of Boston,

Office of the Mayor, January 12, 1923.

To the City Council:

Gentlemen,—I am extremely desirous that the publication of the Boston City Record represent a profit rather than a loss and to accomplish this most desirable object, I respectfully recommend the adoption of the

accompanying ordinance amending section two of chapter thirty-three of the Revised Ordinances of nineteen hundred and fourteen.

Respectfully yours,
JAMES M. CURLEY, Mayor.

City of Boston.
In the Year Nineteen Hundred and Twenty-Three.

An Ordinance.
Concerning The Price of the Boston
City Record.

Be it ordained by the City Council of Boston, as follows:

Section two of chapter thirty-three of the Revised Ordinances of nineteen hundred and fourteen is hereby amended by striking out in the sixth line the word "five" and inserting in place thereof the word "ten" and by striking out in the same line the words "one dollar" and inserting in place thereof the words "two dollars," so that said section as amended shall read as follows: *Section 2.* The Board shall publish the *City Record* once a week, and shall distribute and sell it under the direction of the Mayor. The *City Record* shall contain all matters required by statute to be published therein and such other matters as the Mayor may direct. The price for single copies shall be ten cents, and the yearly subscription price shall be two dollars, payable in advance. The price to be paid by departments for advertising therein shall be fixed by the city auditor with the approval of the Mayor. The sums so received shall be used to defray the expense of said publication.

Referred to the Executive Committee.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz:

Claims.

Charles Ama, for compensation for injuries due to a fall at the North Bennet Street Bathhouse.

Mrs. Lena Cohen, for compensation for injuries caused by a fall on sidewalk at 121 Chambers street.

Robert H. Elrick, for compensation for damage to car by a defect in street opposite No. 556 Dudley street.

Francis P. Lopes, to be reimbursed amount of judgment against him on account of his acts as a police officer.

S. MacDonald, for compensation for damage to truck caused by the caving in of ditch at 167 Stratford street.

Mrs. Mary E. McGuire, for compensation for damages at 226 Bowen street during the police strike.

Etta Wilgoren, for compensation for injuries caused by a defect in sidewalk at 17 Grove street.

Harry Ratner, for refund of amount of certain water bills paid on estate 417 Cambridge street, Allston.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Hyman Collier.

Approved by the City Council.

NOTICE OF HEARING.

Notice was received from the Street Commissioners of hearing on Monday, January 29, on petition for keeping of gasolene at 1886-1896 Columbus avenue.

Referred to the Executive Committee.

REINSTATEMENT OF JAMES H. HANLEY.

President BRICKLEY offered the following: Resolved, That the City Council of Boston favors legislation for the reinstatement of James H. Hanley in the Department of Public Works of the City of Boston.

Passed under a suspension of the rule.

PENSION FOR T. ALFRED MITCHELL.

Coun. WATSON offered the following: Resolved, That the City Council of the City of Boston hereby approves the enactment of legislation to enable the city to pay a pension to J. Alfred Mitchell, formerly City Auditor of said city.

Passed under a suspension of the rule.

LOAN FOR MUNICIPAL BUILDING, BRIGHTON.

Coun. WALSH offered an order—That his Honor the Mayor be requested to petition the General Court for legislation to enable the City of Boston to borrow, outside the debt limit, the sum of \$300,000 for a municipal building in the Brighton District.

Passed under a suspension of the rule.

SALE OF UNCLAIMED BAGGAGE.

Coun. MORIARTY offered a report on petition of Boston & Maine Railroad (referred January 8), for leave to sell unclaimed baggage—recommending the passage of the following, viz.:

Ordered, That the Boston & Maine Railroad be and hereby is authorized to sell at public auction on or before April 1, 1923, after publication of the time and place of sale, according to law, the articles left and remaining unclaimed in the possession of said railroad in the City of Boston.

Report accepted; order passed.

PAYMENT TO JOHN M. CHMIELINSKI.

Coun. MORIARTY offered the following: Resolved, That the City Council of Boston favors legislation for the payment of a sum of money to John M. Chmielinski, said payment to be approved of by the Council.

Passed under a suspension of the rule.

BARNET SNEIDER SQUARE.

Coun. WALSH for Coun. WATSON offered an order—That the junction of Magnolia and Quincy streets in Roxbury be named Barnet Sneider square, in memory of said Sneider, who fell in action in the World War while in the service of the United States, and that said location be suitably marked with signs.

Passed under a suspension of the rule.

LEGISLATION FOR THOMAS GAFFNEY.

Coun. WALSH for Coun. WATSON offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Thomas Gaffney in the Public Works Department.

Passed under a suspension of the rule.

LEGISLATION FOR JOSEPH V. CUMMINGS.

Coun. GILBODY offered the following: Resolved, That the City Council of Boston favors legislation for the reinstatement of Joseph V. Cummings as a laborer in the Public Works Department.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 3.05 o'clock p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members reassembled in the chamber and were called to order by the President at 3.20 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message and ordinance (referred today) concerning price of Boston *City Record*—that the ordinance ought to pass. Report accepted; ordinance passed.

2. Report on message of Mayor, communication and order (referred today) for sale of steamer "Monitor"—that the order ought to pass. Report accepted; order passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business. No. 1, viz.:

Action on appointments submitted by the Mayor, January 8, 1923, viz.:

Abraham Krinsky, to be a constable. The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 8, yes 7, nays 1, and the appointment was confirmed.

President BRICKLEY called up unfinished business, Nos. 3 and 4, viz.:

3. Louis A. Zwick and Mrs. Louis A. Zwick, to be Weighers of Coal.

4. Marshall Lawrence, to be a Weigher of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 8, yes 7, nays 1, and the appointments were confirmed.

TAKING OF LAND, BATH STREET.

President BRICKLEY called up unfinished business, No. 5, viz.:

5. Whereas, It is proposed that a portion of Bath street, containing an area of 1,813 square feet, more or less, as shown on a plan dated November 23, 1922, and signed by Aspinwall & Lincoln, Civil Engineers, shall be discontinued:

Ordered, In event of such discontinuance that the Mayor, in the name and behalf of the city, is hereby authorized to release and quit-claim to the Post Office Square Company, its successors or assigns, by an instrument in writing satisfactory to the Law Department, all the right, title and interest which the City of Boston may have in the said land at the time of or after the said portion of said street is discontinued, and also in and to a triangular parcel of land containing about 17 feet lying west of Bath street and bounded northerly by the southerly end of the Delta Building property, upon payment to the city of the sum of \$48,000; and upon the further consideration that the Post Office Square Company shall without compensation convey or cause to be conveyed in fee to the City of Boston for street purposes a parcel of land containing 187 square

feet, more or less, which is now located on the southeasterly corner of Post Office square and said Bath street, as shown on a plan signed by said engineers and dated December 21, 1922.

Ordered, That the order relating to this matter, approved August 8, 1922, be and the same is hereby rescinded.

On December 27, 1922, the foregoing order was read once and passed, yeas 6, nays 0.

The order was given its final reading and passed, yeas 7, nays 0.

SIDEWALK, ELM STREET.

Coun. FORD offered an order—That the Commissioner of Public Works make a sidewalk along the easterly side of Elm street, from Arlington street to West street, Ward 24, in front of the estates bordering thereon, said sidewalk to be from 3 to 10 inches above the gutter adjoining, to be from 5 to 12 feet in width, and to be built of artificial stone with granite edgestones under the provisions of chapter 196 of the Special Acts of 1917.

Passed under a suspension of the rule.

CRITICISM OF NEWSPAPER REPORTER.

Coun. MORIARTY.—Mr. President, I am going to ask unanimous consent to make a statement.

President BRICKLEY.—If there is no objection, you may proceed.

Coun. MORIARTY.—Mr. President, I have here an issue of the Boston *Post*, dated Saturday, January 13; No. 13 being a good number, I suppose, they couldn't pick on anybody else, they had to pick on me. I think I have given them ample opportunity to get me in the paper; I suppose sometimes at their displeasure, and when I see it in the paper, at my displeasure. I want to say that I have no objection, so far as the newspapers are concerned, to what they say, if they will tell the truth. They can put me on the front page or can say anything they want to say about me, if they keep within the bounds of decency. There is a table set aside here for the newspapermen—at least, I feel that it is set aside for the newspapermen—to do their business at. I have never had any dispute with any of the newspapermen since I have been in the Council. I have realized that a newspaperman was not always responsible for the stories issued by the paper. I realize that what a man says has to go through the scrutiny of the desk. But this statement here never was changed at the desk, and I believe that any man with common sense will agree after the reading of it that it was not. There were only two men here representing the newspapers last Friday afternoon, the representative of the Boston *Herald* and the representative of the Boston *American*. I called up and found that the stories were taken practically by the newspapermen from the man who represented the *Herald*. This is in the story that is in the issue of the *Post* of Saturday morning, January 13:

"Bitter Argument on Two Platoon. Opening of Hearing on Proposed System for Firemen Marked by Acrimonious Debates. Marked with attacks on the Good Government and other associations, the opening hearing on the two platoon when he obtained passage before the City Council yesterday at times had all indications of a 'general alarm' hearing, so heated was the discussion on the merits of the system between proponents and the opposition.

"Block Opposition.

"Councillor James T. Moriarty, chairman of the hearing"—Coun. Ford was the chairman of the hearing. I think if men are not able to distinguish the members of the Council the Council ought to appropriate some

money and either give them opera glasses or have their glasses changed, so that they may know us as individuals.

"Coun. James T. Moriarty, chairman of the hearing and an ardent supporter for the proposed system, made it clear that he favored the two platoon when he obtained passage of a motion that the opposition first present its case, against the objection of Coun. Daniel J. Lane."

Coun. Daniel J. Lane, as the record will prove, made absolutely no opposition to that motion, nor did any other member of the Council. The man who wrote that, or was responsible for the writing of it, said that I was an ardent supporter of the two-platoon system, and also put Coun. Lane in the position of being ardently in opposition to it. Now, if newspapermen are coming here and are going to write, on their own assumption of what my vote is going to be or what Coun. Lane's vote is going to be, it is about time that we took the table from this corner and put the newspapers out, if they are not willing to give to the public the real truth. Of course, the *Herald* doesn't care for me any way, and that gets me votes.

"F. W. Merrick, treasurer of the United Improvement Association, in representing the opponents of the proposed system in his opening argument gained little headway in presenting his figures which showed that Boston voters have twice opposed the system. Repeated interruptions of Merrick by Moriarty and the apparent support of the latter's remarks by other members of the body caused Merrick to remark, 'If the Council has its mind made up, it will be useless for me to offer such figures and facts as I have here, showing the cost or undesirability of the two-platoon system.'"

Merrick had ample opportunity to put in his case and finish his case before I interrupted him or asked him a question. Coun. Ford asked him the question if he did not desire to put in any figures or any data, and he said "no," and without any opposition made the statement that is referred to in the paper. I think, Mr. President, that we should demand, as the Boston City Council, that Henry Bird of the *Herald*, who is sitting here, apologize to the members of the Council by writing a true statement of the facts, getting them from the minutes. There was a public stenographer here whose statements or whose writing nobody doubts, and I am sick and tired of allowing the likes of Henry Bird, who has been a tool for the Good Government Association, who has been a tool for the Finance Commission and who has been a tool of the so-called uplifters of the City of Boston, to continue as he has been doing without protest. He didn't ever publish it in a Boston paper when he fell over a wire going through Boston Common and then sued the city and got some dough for it. He didn't put that in the paper. Of course, if I did that, or any other regular man did it, the papers might be full of it, but it was all right because Henry Bird fell over a wire going through the Common. If I fell over a wire going through the Common they would say that I was intoxicated, but I am not going to say that about him. I have no objection to having the newspapers say that I am going to vote for the two platoon, because I am. I am not in favor of it, but I am going to vote for it. I think they ought to have a straight eight-hour day. I don't think it ought to be two platoons; I think it ought to be a three shift, three eight-hour shifts. I am not afraid to let anybody know where I am. But I at least expect that the newspapermen here will publish the truth. During this coming year—and I am going to be here—if any paper publishes an untruth in so far as I am concerned, if there isn't a retrac-

tion after a statement in this Council, I will take the matter into my own hands, and I won't go into court with it, either. If I cannot get a fair break, then I will take it some other way. I say that any man who would write a story of that kind after sitting at the hearing, is a skunk, and I wouldn't say that if he wasn't here. He takes more liberties in this Council than all of the rest of the newspapermen here. You would think that he was an attaché of the Boston City Government, the way he goes through the papers on the desk. I want to say that I am going to make an objection to that sort of thing. I am going to ask the President of this body to carry out the rules of this body. If that desk over there is set aside for the newspapermen, I believe that is the place where they should sit, and I am sorry for the rest of the newspapermen that they have to associate with such a member as the one I have talked about here today. I am sorry that I have had to seem to criticize some of the rest of them, putting them in a false position. I have tried to be fair to those men here; I have never criticized any one of them before until I saw this absolute, known lie, written by a man paid by a newspaper to get news, who hasn't got the courage of a man to take back the real truth. I have sent for the *Herald*. There wasn't one on file. But practically the same story is in the *Herald*. They can do anything they want in so far as I am concerned, if they will tell the truth. I realize that some men are liable to make mistakes, but, as far as my imagination can run, it was not meant for any mistake. He both put me in one position and Coun. Lane in another position, that never took place in the Chamber. Of course, I suppose he is going to say, "Well, he didn't have my paper." Well, there is another meeting next Monday and the thing can be looked up, as far as making the statement in his own paper is concerned. But I have it from the newspapermen downstairs that he covered the hearing here, and that he was the one they took their story from. I want to say that I think the Boston *Post* owes it not only to me but to the rest of the members of the Council to state the facts in this matter, because it says the rest of the members with the exception of Coun. Lane supported me, as being in favor of the proposition. I think the papers that issued that story should at least deny it. The records are here, and the records will very quickly prove that the statement in the Saturday morning papers was absolutely untrue. I am an ardent supporter of the two-platoon system, yes, and I am going to vote for it. Not only that, but it is going to go through. Whether the *Herald* likes it or whether the Chamber of Commerce likes it, or whether the Good Government Association likes it, we are going to have the two-platoon system in Boston for our firemen, and whether Henry Bird likes it or not. Of course, if we didn't have so many leeches, falling over wires, falling into holes, trying to collect damages from the city, we would have no trouble, not only in putting into effect the two-platoon system, but we might be able to get increases for a lot of the other city employees.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 3.40 p. m., on motion of Coun. MORIARTY to meet on Monday, January 22, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 22, 1923.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent, Coun. Gilbody and Lane.

JURORS DRAWN.

Jurors were drawn in accordance with the provisions of law (the Mayor not being present), viz.:

Thirty-nine traverse jurors, Superior Civil Court, First Session, January Sitting, to appear February 12, 1923:

John H. Dalton, Ward 1; William B. Epps, Ward 1; Charles G. Parmenter, Ward 1; Edward L. Woods, Ward 1; Michael J. Cashman, Ward 2; Anders Pedersen, Ward 2; Patrick J. Murphy, Ward 3; Frank J. Brophy, Ward 5; Benjamin Carver, Ward 5; Frank Adams, Ward 6; Francis J. Barlow, Ward 6; Daniel O'Keefe, Jr., Ward 6; Bartholomew P. Mullen, Ward 7; George Ernest Bowman, Ward 8; Thomas G. Flynn, Ward 8; Franklin K. Pierce, Ward 8; George S. Drummey, Ward 9; Charles Reilly, Ward 9; George H. Mason, Ward 11; Leo F. Walker, Ward 11; Henry C. Lerner, Ward 14; Simon Mazur, Ward 16; John J. Groezinger, Ward 17; Morris Hurvitz, Ward 18; Harry M. Rosenblatt, Ward 19; Giuseppe DeLorenzo, Ward 20; Frank E. F. Eldridge, Ward 21; Benjamin Simon, Ward 21; William F. Maloney, Ward 22; Sebastian L. Gahn, Ward 23; John T. Macdonald, Ward 23; Robert Kimball, Ward 24; James H. Lees, Ward 24; Loran F. Lockhart, Ward 24; John S. Nelson, Ward 24; Leonard A. Powell, Ward 24; Loran James Sanford, Ward 24; William H. Bates, Ward 25; Michael F. Blewitt, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Second Session, to appear February 12, 1923:

Edward F. Lawson, Ward 2; John Connors, Ward 3; Charles A. Fee, Ward 3; John W. Gately, Ward 4; Denis Murphy, Ward 6; Harry A. Crosby, Ward 7; Frederick S. Varney, Ward 7; Frank T. Ford, Ward 8; Samuel G., King, Ward 8; Jacob Klein, Ward 8; Edward Bishop, Ward 9; Patrick H. Brennan, Ward 9; Patrick Hennessy, Ward 9; William J. Mahoney, Ward 9; Edward P. Call, Jr., Ward 10; James J. McNamara, Ward 10; Michael J. Walsh, Ward 10; Joseph D. Beasley, Ward 14; Joseph B. Hathaway, Ward 14; Francis E. O'Brien, Ward 14; James Kelly, Ward 15; George F. Laubner, Ward 15; William Grife, Ward 16; Fred A. Sullivan, Ward 16; John J. Driscoll, Ward 17; Francis J. D. Ferguson, Ward 17; Nicholas L. Schuver, Ward 18; Roger F. Chapin, Ward 20; Joseph Clench, Ward 20; Manson Low, Ward 21; William J. Neville, Ward 21; George F. Drown, Ward 22; Herman A. Hetzer, Ward 22; Harry O. Mosher, Ward 22; Ernest M. Flint, Ward 23; John A. Lundquist, Ward 23; Everett C. Rogers, Ward 23; Edward T. Cassidy, Ward 24; Neil M. Forsyth, Ward 24.

Thirty-nine traverse jurors, Superior Civil Court, Third Session, January Sitting, to appear February 12, 1923:

John A. Viverion, Ward 1; John B. Greene, Ward 2; Horace W. Lyons, Ward 2; John F. Nelson, Jr., Ward 2; Domenico Viscio, Ward 2; Thomas J. Carroll, Ward 3; Arthur T. Boyle, Jr., Ward 6; James T. Monahan, Ward 6; John C. Roth, Ward 6; Charles W. Savage, Ward 6; Frederick J. Young, Ward 6; Edward F. Cook, Ward 9; Thomas P. Smallcomb, Ward 9; John H. Brewer, Ward 10; James H. Gallagher, Ward 10; Ralph B. Hilton, Ward 10; Robert L. Sullivan, Ward 10; Anthony Griffin, Ward 11; Thomas J. Murphy, Ward 12;

William H. Moffitt, Ward 13; Christian Schlappi, Ward 13; Martin J. Lee, Ward 14; Walter F. Vreeland, Ward 15; Thomas H. Connolly, Ward 16; Edward D. Legg, Ward 16; Gustaf R. Ekdahl, Ward 17; Antonio Marchetti, Ward 17; Lewis J. Quimby, Ward 17; Frank A. Ball, Ward 18; James A. Graham, Ward 20; Everett B. Richards, Ward 21; Andrew J. Sullivan, Ward 21; Lar C. H. S. Westphalen, Ward 21; George W. Loroy, Ward 22; Herman Pepp, Ward 22; Charles J. Nichols, Ward 23; Joseph M. Dowling, Ward 24; John M. Blakeley, Ward 25; Henry Hansen, Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, Fourth Session, January Sitting, to appear February 12, 1923:

Thomas R. Kelley, Ward 1; Olaf Battelsen, Ward 2; George Clifford, Ward 2; Daniel Wallace, Ward 4; Barnett Lasdan, Ward 5; Noah N. Cook, Ward 6; Colon P. Cushing, Ward 6; James D. Foey, Ward 6; Roscoe L. Wade, Ward 6; Frederick Witham, Ward 6; Lawrence Holderried, Jr., Ward 7; Lester A. Williams, Ward 7; Frank J. Hallett, Ward 9; John J. Manning, Ward 9; Frank J. Reavey, Ward 9; Alonzo K. Paul, Ward 10; Edgar N. Smith, Ward 12; James R. Byrnes, Ward 13; Philip M. Higgins, Ward 13; Frank F. Zeigler, Ward 14; Michael J. Crosby, Ward 15; Gustav Engewald, Ward 15; Oliver Q. Morin, Ward 15; John J. Riordan, Ward 15; Patrick M. Ahern, Ward 18; Thomas Cavanaugh, Ward 18; Solomon Myers, Ward 19; Justin H. Rodgers, Ward 19; Morris Roitman, Ward 19; Morris P. White, Ward 21; Patrick Griffin, Ward 22; Joseph O. Hodgkins, Ward 22; Lawrence F. Lyons, Ward 23; Joseph L. McLaughlin, Ward 23; Charles G. Sessler, Ward 23; Charles A. Swan, Ward 24; Herbert A. Gigger, Ward 20; William H. Reece, Ward 25; George B. Suder, Ward 25.

Thirty-nine traverse jurors, Superior Civil Court Fifth Session, January Sitting, to appear February 12, 1923:

Frank W. Carney, Ward 1; John J. Sloan, Ward 1; John J. Sloane, Ward 1; John S. Jenkins, Ward 2; Alexander Webber, Ward 3; Henry G. Farley, Ward 4; Herbert Hilton, Ward 5; Michael J. Murphy, Ward 4; Andrew Carroll, Ward 6; Lyndell S. Mayo, Ward 7; Christian A. Peterson, Ward 7; Thomas G. Frothingham, Jr., Ward 8; William D. Sheen, Ward 11; Patrick Doherty, Ward 13; Joseph F. Lynch, Ward 14; Thomas J. Kenny, Ward 15; Edward L. Kitson, Ward 15; William D. Murphy, Ward 15; Edward A. Vogel, Ward 15; James J. Hunt, Ward 16; William A. Hennessey, Ward 17; John H. Becker, Ward 18; Guy W. Sherman, Ward 18; William Bloustein, Ward 19; Max H. Hamlin, Ward 19; Ernest L. Ingalls, Ward 20; Charles C. Mills, Ward 20; Percy C. Davis, Ward 21; Eric T. Hildebrand, Ward 21; Grover C. Drews, Ward 22; Alfred J. Guyon, Ward 22; James Kelly, Ward 22; Walter F. W. Taber, Ward 22; Pryor C. Goodwin, Ward 23; Ernest Johnson, Ward 23; Alfred Cumington, Ward 24; Charles L. Field, Ward 25; Bernard Connolly, Ward 26; Robert J. Naghten, Jr., Ward 26.

Thirty-nine traverse jurors, Superior Civil Court, sixth session, January sitting, to appear February 12, 1923:

Michael F. Crawford, Ward 2; Robert L. Leonard, Ward 4; Jeremiah F. Gearan, Ward 5; John E. Hill, Ward 5; David N. Stern, Ward 5; Frederick L. Levisour, Ward 8; Joseph Fink, Ward 8; George S. VanVoorhis, Ward 8; Timothy Donahue, Ward 9; Thomas N. Mitchell, Ward 9; Nathan S. Batchelder, Ward 10; William H. Golden, Ward 10; William F. Higgins, Ward 10; Eugene Stapleton, Ward 10; John W. Smith, Ward 11; Michael Mahoney, Ward 12; John J. Mooney, Ward 13; William Lentz, Ward 14; Herbert F. Odell, Ward 14; Daniel Fox, Ward 15; Dominick F. Spellman, Ward 15; Bertram H. Currier, Ward 16; Russell O. Horne, Ward 16; Edward L. Sullivan, Ward 16; Morris Allman, Ward 18; Edward Brown, Ward 18; William D. Cahill, Ward 18; Henry Barron, Ward 19; Julius Herzberg, Ward 19; Lorin E. Lewis, Ward 19; Louis H. Berger, Ward 20; Frederic W. Hooper, Ward 21; James W. Maxwell, Ward 21; William F. Muleahy, Ward 21; Wolf Wasserman, Ward 21; James Brown, Ward 22; William C. Adams, Ward 25; Edwin J. Keyes, Ward 25; Harry Connell, Ward 26.

Thirty-nine traverse Jurors, Superior Civil Court, Seventh Session, January Sitting, to appear February 12, 1923:

Joseph Sacco, Ward 1; Anthony D. Vesce, Ward 1; Thomas M. Murphy, Ward 3; Morris Biller, Ward 5; Myer Burtman, Ward 5; Daniel M. Daly, Ward 6; Elmer E. Wheeler, Ward 6; Thomas H. Erwin, Ward 7; John L. Grandin, Jr., Ward 7; Joseph R. Lyons, Ward 7; William C. Larkins, Ward 8; Ernest H. Pierce, Ward 8; Fletcher Steele, Ward 8; George Tyson, Ward 8; Richard E. M. Forhes, Ward 10; Robert E. Gannon, Ward 10; James P. Mooney, Ward 10; James J. Murphy, Ward 10; Frederick J. Wheeler, Ward 10; Florence T. Sullivan, Ward 11; Robert J. Wallace, Jr., Ward 12; William H. Jefferson, Ward 13; Walter Westwood, Ward 13; John Peterman, Ward 14; Joseph Myerson, Ward 16; John B. Carr, Ward 18; John Markiewicz, Ward 18; Julius Rosenhlum, Ward 19; Edwin A. Jones, Ward 21; William McDonald, Ward 21; William Feeney, Ward 22; Harry M. Gordon, Ward 22; Edward R. C. Von Ette, Ward 22; Channing Williams, Ward 22; Frederick I. Reed, Ward 23; Fred S. Cox, Ward 24; William C. Warren, Ward 24; Joseph A. Butler, Ward 25; James J. McGuire, Ward 26.

Forty traverse jurors, Superior Criminal Court, First Session, to appear February 6, 1923:

Thomas L. Burnett, Ward 1; Prescott R. Parkin, Ward 1; John C. Boles, Ward 4; John J. White, Ward 5; Francis E. Berry, Jr., Ward 6; Duncan McEachern, Ward 2; Louis Goldberg, Ward 7; Henry F. Wayland, Ward 7; William C. Bigley, Ward 8; Mark A. DeW. Howe, Ward 8; Charles G. Winslow, Ward 8; Joseph A. Collins, Ward 9; Edward C. Doherty, Ward 9; William F. Bagley, Ward 11; Chiton H. Eadie, Ward 11; Walter D. Barnes, Ward 13; Harry L. Channell, Ward 13; Joseph A. Lambert, Ward 13; George B. Chadbourne, Ward 14; George C. Flint, Ward 14; Thomas F. Kenney, Ward 14; William S. Griffin, Ward 16; Louis Harris, Ward 18; John J. Karnes, Jr., Ward 18; Max Newman, Ward 18; David Silver, Ward 18; George W. Sweeten, Ward 18; Frederick W. Barth, Ward 19; Abraham S. Brodie, Ward 19; Max Cohen, Ward 19; William H. Masters, Ward 19; Robert Julius Werner, Ward 20; John J. Bardon, Ward 21; Thomas Higgins, Ward 21; Adelbert M. Durke, Ward 22; Gustave A. Gabulson, Ward 22; Albert M. Koch, Ward 23; William Schultheis, Ward 23; John F. Gaynor, Ward 24; Patrick E. McGovern, Ward 26.

Forty traverse jurors, Superior Criminal Court, Second Session, to appear February 6, 1923:

Michael F. McLaughlin, Ward 2; Michael J. Curran, Ward 3; Michael Keane, Ward 4; James J. Gihlin, Ward 6; Archbow L. Hoyle, Ward 7; Sidney F. Squires, Ward 7; William Barry, Ward 8; Joseph L. Brennan, Ward 8; Benjamin W. Estabrook, Ward 8; Joseph E. Murphy, Ward 8; Joseph D. Harrison, Ward 9; Patrick J. Welch, Ward 9; Walter A. Houghton, Ward 10; Frank M. Howe, Ward 10; Michael Kavanagh, Ward 10; Joseph L. Raferty, Ward 10; Peter M. Hove, Ward 11; Richard J. Savage, Ward 12; Edward R. Browne, Jr., Ward 13; John J. McGuire, Ward 13; John M. McCormack, Ward 14; Morgan Ferris, Ward 15; William H. Upton, Ward 15; Alfred Jacobs, Ward 17; Samuel Beck, Ward 18; Frank E. Chipman, Ward 18; Thomas J. Foley, Ward 18; William F. Saunders, Ward 18; Lanna O. Hamlet, Ward 19; Benjamin L. Walker, Ward 19; Daniel F. McCarthy, Ward 21; William Langmead, Ward 22; George W. Bunker, Ward 23; William E. Dillon, Ward 23; Theobald Goetz, Ward 23; John A. Macquarrie, Ward 23; Frank B. Mulvey, Ward 23; Frederick O. Witol, Ward 23; Frank R. Heustis, Ward 24; James E. Magann, Ward 25.

Forty traverse jurors, Superior Criminal Court, Third Session, to appear February 6, 1923:

George A. Cook, Ward 7; Peter J. Lofberg, Ward 7; Theophilus Richards, Ward 7; Jacob S. Freedman, Ward 8; Irving F. Hunt, Ward 8; George P. Sanhorn, Ward 8; George S. Winslow, Ward 8; John I. Denson, Ward 9; William L. McCarthy, Ward 9; Thomas F. Teevans, Ward 10; Henry J. Bell, Ward 11; August J. Vatter, Ward 15; William H. Doherty, Ward 16; William F. Doolan, Ward 16; Harry A. Baker, Ward 17; Albert R. Getchell, Ward 17; Arthur R. Tibbetts, Ward 17; Edward B. Carty, Ward 18; Benjamin Dohkin, Ward 18; Marcus Horblitt, Ward 18;

William S. Moore, Ward 18; Thomas J. Reid, Ward 18; Ahe Altshuler, Ward 19; Bernard A. Morse, Ward 19; Ahraham L. Buzzell, Ward 20; Max Feldman, Ward 20; James T. Kilroy, Ward 20; George S. Colcord, Ward 21; Alexander M. Lehrman, Ward 21; Thomas C. Prue, Ward 21; Sydney E. Smith, Ward 21; Frank T. Bassick, Ward 22; William J. Bonning, Ward 22; Frank E. Pugsley, Ward 22; Patrick J. Donahue, Ward 23; James H. Finch, Ward 23; Aurin P. Prince, Ward 24; Wilfred J. Graham, Ward 25; Francis W. O'Keefe, Ward 26; Matthew Smith, Ward 26.

APPOINTMENTS BY THE MAYOR.

Subject to confirmation of the City Council the Mayor submitted the following appointments for terms ending April 23, 1923, viz.:

1. John K. Gallagher, 40 Central street, Boston, a weigher of coal.
 2. Weighers of Goods: Richard M. Tyler, 3 Holton street, Boston; John M. Stewart, 292 Summer street, Boston.
- Laid over under the law.

INFORMATION AS TO CAMBRIDGE STREET WIDENING.

The following was received:

City of Boston,

Office of the Mayor, January 22, 1923.

To the City Council:

Gentlemen,—I transmit herewith a report of the City Planning Board relative to the widening of Cambridge street.

Respectfully,

DAVID J. BRICKLEY, Acting Mayor.

City Planning Board,

Boston, January 22, 1923.

Hon. James M. Curley,

Mayor of Boston:

Dear Sir,—The City Planning Board is in receipt of the following order introduced by Coun. Watson and passed by the City Council at its meeting November 20, 1922:

Ordered, That the City Planning Board be requested, through his Honor the Mayor, to submit to the City Council, as soon as convenient, any information it may have, or contemplates, as to the widening of Cambridge street, and also plans, if any, as to the improvement of said street.

In compliance therewith, the City Planning Board respectfully transmits herewith a copy of its Seventh Annual Report, on pages 20-23 of which, inclusive, will be found a report of this Board with regard to the Cambridge and Court street widening and Causeway street extension.

There is also transmitted herewith a copy of House Bill No. 375, an act to widen, extend and construct certain streets in the City of Boston.

Section F of this bill provides for the widening of Cambridge street, from Charles street to Court street, and Court street, from Cambridge street to a point at or near the junction of Howard street, and Court street to a width not to exceed 100 feet, and at a cost not to exceed \$3,500,000.

Section G of this bill provides for the widening of Causeway street to Leverett street and its extension to Cambridge street to a width not to exceed 60 feet and at a cost not to exceed \$800,000.

The City Planning Board considers the Cambridge and Court street widening a particularly important improvement in view of the increased volume of traffic which will be forced over the Cambridge Bridge and through Cambridge street and Court street to the business district as soon as work in connection with the reconstruction of Harvard Bridge is undertaken. The Cambridge Bridge is not used to anything like its full capacity at the present time, due to the extremely poor condition of the approaches on both the Cambridge and the Boston sides. Cambridge contemplates the expenditure of from \$140,000 to \$150,000 in paving Main street from Lafayette square to the bridge. With the widening and conditioning of Cambridge and Court streets on the Boston side there would be afforded a convenient and attractive means of entrance to and exit from the downtown sections of the City.

The City Planning Board also considers the extension of Causeway street, from Leverett street

to Cambridge street, thus linking up Causeway street and the traffic emanating from the North Station with the widened Cambridge street, a most essential part of the major improvement.

Plans showing the street widenings and extension indicated in the legislative bill are on file in the office of the Street Laying-Out Department.

Respectfully submitted,

FREDERIC H. FAY,
City Planning Board,
Chairman.

Placed on file.

VETO—REINSTATEMENT OF JOSEPH V. CUMMINGS.

The following was received:

City of Boston,
Office of the Mayor, January 18, 1923.

To the City Council:

Gentlemen,—I beg to return herewith without my approval the order of your Board adopted under date of January 15, 1923, providing for the reinstatement of Joseph V. Cummings as laborer in the Public Works Department. An investigation conducted by the Law Department discloses the fact that the total service given to the city by this man was slightly in excess of one year, and, under the circumstances, in view of the adoption of the General Pension Act to become operative within a period of sixty days, such a reinstatement, in my opinion, would be an injustice to not only all persons now in the city service but to many who suffered loss of position despite the fact that their employment with the city covered a longer period of years.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—REINSTATEMENT OF FRED L. CARROLL.

The following was received:

City of Boston,
Office of the Mayor, January 18, 1923.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your Board adopted under date of January 8, 1923, providing for the reinstatement in the Boston Fire Department of Fred L. Carroll, for the reason that this man has been discharged once, reinstated twice, and resigned twice. Approval of the order of your Honorable Board in the case of Fred L. Carroll would not only be destructive to discipline in the Fire Department but would be equivalent to an invitation to men charged with responsible duties to either regard them lightly or totally disregard them, thereby pursuing a course of action that would constitute a menace to the public and property which they are appointed and sworn to safeguard.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—REINSTATEMENT OF FRANCIS L. AMANN.

The following was received:

City of Boston,
Office of the Mayor, January 18, 1923.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your Board providing for the reinstatement of Francis L. Amann to the Boston Fire Department. The report of the department discloses the fact that this man was tried on three separate occasions and found guilty in each case. To reinstate him would be detrimental to discipline in a branch of the service where public safety demands discipline of the highest possible character.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—REINSTATEMENT OF JAMES H. HANLEY.

The following was received:

City of Boston,

Office of the Mayor, January 18, 1923.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your Board adopted under date of January 15, 1923, for the reason that after consultation with the Law Department I find that the service rendered by James H. Hanley while in the Public Works Department was largely of a temporary character. I have consulted with Mr. Hanley and find that he was employed for a period of eight years as a laborer in the Metropolitan Park Department and in which department he has decided to seek reinstatement.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—ANNUITY FOR WIDOW OF ANTHONY FITZPATRICK.

The following was received:

City of Boston,
Office of the Mayor, January 18, 1923.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your Board adopted under date of January 8, 1923, favoring legislation providing for an annuity to be paid the widow and children of Anthony Fitzpatrick. I have a profound appreciation of how difficult it is to resist a kindly impulse prompting not only the City Council but other good citizens interested in aiding the dependents of former Police Sergeant Anthony Fitzpatrick, yet, nevertheless, in view of the report submitted by the Police Commissioner, coupled with the report presented by the physician in charge of the case, there is no way in which by any application of logic the death of Sergt. Anthony Fitzpatrick can be traced to excessive duties in connection with his position as a member of the Police Department.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—PAYMENT TO JOHN M. CHMIELINSKI.

The following was received:

City of Boston,
Office of the Mayor, January 19, 1923.

To the City Council:

Gentlemen,—I beg to return herewith, without my approval, the order of your Board reading as follows:

"Resolved, That the City Council of Boston favors legislation for the payment of a sum of money to John M. Chmielinski, said payment to be approved of by the Council."

The City of Boston maintains a Law Department which represents an expenditure of approximately \$60,000 annually. It is composed of men eminently qualified to pass upon legal questions affecting municipal administration and in my opinion should not be hampered by the presentation of requests of the character adopted by your honorable body in this particular case. The petitioner for this legislation is not required to present a petition for the adoption of a special act of the Legislature to reimburse him provided there is any legal authority or legal liability upon the part of the city to reimburse him and to encourage legislation of this character is vicious in the extreme.

Respectfully yours,
JAMES M. CURLEY, Mayor.

Placed on file.

VETO—CHANGING NAME OF MAVERICK SQUARE.

The following was received:

City of Boston,
Office of the Mayor, January 18, 1923.

To the City Council:

Gentlemen,—I beg to return herewith, without

my approval, the order of your Board adopted January 8, 1923, and reading as follows:

Ordered, That the open space between Maverick and Sumner streets, East Boston, known as Maverick square, be named and hereafter known as Grady square, for the reasons as here set forth.

In seeking to change the name of Maverick square in East Boston to that of an heroic soldier of a later day, due consideration must be given to the reverence traditionally accorded to the name of those who are historically associated with the settlement and upbuilding of the Commonwealth and whose services to the well-being and development of the infant colony of Massachusetts Bay are recorded in our annals and have an honorable significance in the establishment of civil and religious liberty here and the administration of the law as customarily maintained in the England of the early seventeenth century. There is no question that the English crown through its subordinate ministers gave grants of territory in this part of America to persons and companies subject to the jurisdiction of the king of England, and the metes and bounds of these grants were usually indefinite and vague in extent and authority; but the settlers were English subjects and subject to English law.

Samuel Maverick under the Gorges patent came to what is now Boston Harbor with a partner named William Blaxton. The latter settled on the peninsula upon which later the town of Boston grew; and the former built one house on an island which came to be known as Noddle Island and another at the mouth of Chelsea creek at Winnisimmet, now Chelsea. Noddle Island got its name probably from William Noddle, said to have been a servant and tenant of Maverick; though others believe he was a freeman and freeholder independent of Maverick.

Maverick and Blaxton were here before the Puritans came and these on arrival refused to recognize their rights.

Maverick was a vigorous and tenacious character; he was a communicant of the English Church; and hostile to the Puritans and their conceptions of law and liberty. The Puritans had ignored English law and practice; they substituted the dictum of the Book of Deuteronomy for England's constitution and law; and they restricted the right to vote to the members of their own church; and were resentful of interference from abroad and full of the spirit of theocratic tyranny and intolerance at home.

Samuel Maverick fought their polity constantly and lawfully; asked that the right to vote be conceded to all freeholders of all faiths then in the colony; and was harried and persecuted for his opinion and activities by the Puritans, who rejected liberty of conscience and person for all but themselves.

Samuel Maverick in historical retrospect deserves well of Massachusetts; he builded better than perhaps he knew; and the heretical views he aired in the Puritan colony in those early days are now recognized as democratically orthodox in the Commonwealth of 1922.

When the authority of George III. and the British Parliament was questioned in Massachusetts and the execution of their laws were resisted and the people came into collision; and the memorable event termed the Boston Massacre was precipitated, one of the victims of that historic event was a boy of seventeen years, Samuel Maverick, a great-grand nephew of the Samuel Maverick who settled Noddle Island or East Boston; and he was shot down on State street by the British soldiery.

Winthrop, Governor of the Puritan colony, despite his quarrels with the Samuel Maverick of his day, recognized his many fine qualities, his courage, hospitality and public spirit and the genuine Christianity that led him to shelter and care for the poor savages suffering from smallpox and bury their dead.

In his journal, Governor Winthrop wrote "Mr. Maverick of Winisemit is worthy of perpetual remembrance."

Part of the remembrance that posterity gave to the founder, Samuel Maverick, and carried over to the memory of the boy Samuel Maverick, shot down in the streets of Boston when the spirit of liberty and independence was stirring the colony, was represented in the naming of Maverick square in East Boston. Both bearers of the name deserve well of their Commonwealth and surely the naming of that square to preserve that name in honor is little enough as a recognition of their merits.

It seems to me that a sense of justice, a respect for the honorable dead and their services, and our plain duty to maintain the spirit and traditions of historic days, should compel us to preserve the name of Maverick square, for the name is linked with the vital and splendid days of our history, the founding of the Commonwealth and the beginning of the struggle for American independence. I am of opinion that the gratitude we owe to the Fathers, a sound patriotism and a reverence for the traditions of a heroic past should keep us from making the mistake of attempting to honor the memory of one of Boston's heroic soldier sons by obscuring and discrediting the names of those who served the Commonwealth well in other days. It would be a grave injustice to the dead of all our centuries and would establish a precedent that would undoubtedly lead the people living in years yet unborn to treat those whom we seek to honor in this age, with the ingratitude it is sought to mete out to the Mavericks of other days.

Every great crisis, every great conflict, produces its patriots and heroes; patriotism and heroism are worthy of our honor and reverence; but it is a questionable public spirit that would repudiate the services of the patriots and heroes of yesterday that a temporary honor may be conferred on the dead of today. The heroic dead of the World War will not be forgotten; their names and memories will and should be honored in various ways; but justice and fitness preclude us dishonoring the past to honor the present.

I do not believe the sober, second sense and clearer judgment of our people will approve of the proposed change; the name Maverick square and the service and tradition it connotes, are close to the heart and dear to the sensibilities of many of our citizens; they should be respected and not lightly offended; and the retention of the name is in no sense a reflection on the patriotism and heroism of Maj. Patrick J. Grady, in whose honor it is proposed that the square shall be now changed.

In these days of unrest when a spirit of intolerance, ingratitude and false Americanism is cropping out all over the country, it behooves the government of the City of Boston to show a broader and better conception of duty and patriotism and an unflinching resolution to recognize the debt and obligation we owe to the men of the heroic age of Boston; and we can pay that debt in no better way than in preserving the traditional names that link our Boston to theirs; and passing them down with honor intact to those who come after us.

Respectfully yours,

JAMES M. CURLEY, Mayor.

Placed on file.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

American Oil Company, for compensation for damage to truck by a city truck on Massachusetts avenue, between Columbus and Huntington avenues.

John A. Anderson, for compensation for injuries received on the East Boston Ferry.

Bernard Bass, for compensation for personal injuries and damage to property caused by a city employee driving wagon No. 1916.

A. Levine, for compensation for damage to property by a city wagon No. 1916 tipping over a wagon loaded with stoves.

Beacon Creamery Company, for compensation for damage to truck by collision with a city car on Charlestown Bridge.

Edward C. Burns, for compensation for damage to car by a wagon of the Public Works Department.

Helen L. Condrick, for compensation for damages to clothing and umbrella by a snow slide from Station No. 2, City Hall avenue.

Cosmopolitan Drug Company, for compensation for damages at 42 Kneeland street, by backing up of sewage.

DeWildt Brotaers Express Company, for compensation for damage to truck by a hole in Columbus avenue, near Eggleston square.

Morris Gorin, for compensation for damage to nouse at 7 Irma street, Dorchester, by a team delivering coal for the city.

George A. & Amelia A. Gridley, for compensation for damage by sewage at 28 Charles street, Hyde Park.

David Jacobs, for compensation for damage to

automobile by a truck in the city Water Service.

A. A. Johnston, for compensation for a boiler at 83 Aldrich street, Suit 2, which burst because of turning off of water.

Arthur W. Kallom for compensation for damage to automobile by a city cart of the Paving Division.

A. N. Maddison, assistant treasurer, to be paid for a hyatt light on Kibby street side of Exchange Building broken by a street watering cart.

Mary A. Maloney, for compensation for injuries caused by a defect in Tremont street, at alleyway at Tremont Theater.

Jennie Pearlman, to be reimbursed for expense incurred on account of error in statement from collector's office relative to property 219 Callender street.

Joseph B. Nealon, to be reimbursed for clothing damaged in saving a boy who fell overboard from ferryboat "Lieutenant Flherty."

Benigna Penta, for a hearing on claim on account of injuries caused by a defect in North Bennet street.

Charles W. Sheen, to be paid for cover of garbage container at 10 Houston street, broken by an employee of the Sanitary Service.

Roseland Shultz, for a hearing on claim on account of a defect in highway on Drummond street, Dorchester.

CONSTABLE'S BOND.

The City Treasurer, after having duly approved of the same, submitted the constable's bond of Abraham Krinsky.

Approved by the City Council.

CLERK HIRE.

W. T. A. Fitzgerald, Register of Deeds, submitted a statement, in accordance with law, certifying that certain persons had been employed in his office from December 18, 1922, to January 22, 1923, and that work had been performed to the amount of \$8,621.90.

Approved and ordered paid.

NOTICE OF HEARINGS.

Notice was received from the Street Commissioners of hearings on Monday, February 5, on various petitions for keeping, etc., of gasolene. Referred to the Executive Committee.

LEGISLATION FOR MR. BENAGLIA.

President BRICKLEY offered the following: Resolved, That the City Council of Boston favors legislation for the payment of a sum of money to the father of John L. Benaglia, who was killed by an airplane at Franklin Field.

Passed under a suspension of the rule.

LEGISLATION FOR SYLVESTER J. WYNTER.

President BRICKLEY offered the following: Resolved, That the City Council of Boston favors legislation for the reinstatement of Sylvester J. Wynter in the Boston Fire Department.

Passed under a suspension of the rule.

LEGISLATION FOR MARTIN F. MULLEN.

President BRICKLEY offered the following: Resolved, That the City Council of Boston favors legislation favoring the reinstatement of Martin F. Mullen in the Police Department of the City of Boston.

Passed under a suspension of the rule.

SOLDIERS' RELIEF.

Coun. GILBODY, for the Committee on Soldiers' Relief, submitted a report recommending the passage of an order for the payment of aid to soldiers and sailors and their families in the City of Boston for the month of January, 1923.

Report accepted; order passed.

MONEY FOR SOLDIERS' RELIEF.

Coun. GILBODY offered an order—That there be allowed and paid to the Soldiers' Relief Commissioner, and charged to the appropriation for Soldiers' Relief Department, the sum of \$300, said sum to be expended subject to the approval of the Committee on Soldiers' Relief, by said commissioner, in affording immediate relief to persons entitled to aid under the law.

Passed under a suspension of the rule.

LEGISLATION FOR WILLIAM F. HUTCHINSON.

Coun. GILBODY offered the following: Resolved, That the City Council of Boston favors legislation for the reinstatement of William F. Hutchinson as a member of the Boston Police Department.

Passed under a suspension of the rule.

LEGISLATION FOR MRS. DANIEL J. DRISCOLL.

Coun. WALSH offered the following: Resolved, That the City Council of Boston favors legislation for the payment of an annuity to the widow of Daniel J. Driscoll, formerly an employee of the City of Boston in the Police Department.

Passed under a suspension of the rule.

LEGISLATION FOR MRS. M. J. COYNE.

Coun. WALSH offered the following: Resolved, That the City Council favors legislation for the payment of an annuity of \$300 per year to the widow of Michael J. Coyne, who died from injuries received while in the service of the city.

Passed under a suspension of the rule.

SICK LEAVE, CITY EMPLOYEES.

Coun. HAGAN offered an order—That his Honor the Mayor be authorized and requested to petition the Legislature for legislation to authorize the City of Boston to allow not exceeding fourteen days' sick leave in each year without loss of pay to employees who are paid a daily wage.

Coun. HAGAN.—Mr. President, an order similar in character and language was presented here some time ago calling for thirty days' sick leave for laborers in the employ of the city. The Mayor in his wisdom saw fit to veto the unanimous vote of the body. I am now presenting this order in a new form, asking for fourteen days' sick leave, in the hope that the Mayor will see the wisdom of granting this humane request, giving the laborers in the employ of the city the same advantages that are now enjoyed by all city employees on a salaried basis.

The order was passed under suspension of the rule.

LEGISLATION FOR ELIAS J. STEWART.

Coun. DONOGHUE offered the following: Resolved, That the City Council of Boston favors legislation to pension Elias J. Stewart, a former member of the Boston Fire Department.

Passed under a suspension of the rule.

RECESS TAKEN.

The Council voted at 2.44 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members reassembled in the chamber and were called to order by the President at 5.09 p. m.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 2 and 3, viz.:

2. Solomon J. Rubin and Samuel Bieber, to be Weighers of Coal.

3. W. C. Church, to be a Weigher of Beef.

The question came on confirmation. Committee—Coun. Walsh and Gilbody. Whole number of ballots cast 8, yeas 8, nays 0, and the appointments were confirmed.

COST OF TWO-PLATOON SYSTEM.

Coun. HAGAN offered an order—That his Honor the Mayor be requested to give the City

Council exact figures as to the increased cost of the two-platoon system, the figures to be compiled and submitted by the Fire Commissioner and City Auditor at the next Council meeting.

Passed under a suspension of the rule.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 5.14 p. m., on motion of Coun. FORD, to meet on Monday, January 29, at two o'clock p. m.

CITY OF BOSTON.

Proceedings of City Council.

Monday, January 29, 1923.

Regular meeting of the City Council, held in the Council Chamber, City Hall, at two o'clock p. m., President BRICKLEY in the chair. Absent—Coun. Hagan and Lane.

INCREASED COST OF TWO-PLATOON SYSTEM.

The following was received:

City of Boston,

Office of the Mayor, January 29, 1923.
To the City Council:

Gentlemen,—In conformity with order of your Board adopted under date of January 22, 1923, I beg to forward herewith figures compiled by the Fire Commissioner and City Auditor relative to the increased cost of the two-platoon system in the Fire Department.

Respectfully,

DAVID J. BRICKLEY, Acting Mayor.

City of Boston,

Auditing Department, January 27, 1923.

Capt. David J. Brickley,

Acting Mayor of Boston:

Dear Sir,—In accordance with the order of the City Council, approved by you, concerning the additional cost for the adoption of the so-called "Two-platoon System" in the Fire Department, I respectfully report as follows:

As a result of a conference with the Fire Commissioner, the accompanying communication was submitted to me as a basis for establishing cost the first year. The number of officers and privates, as determined by the Fire Commissioner at the existing rates of salaries for the respective positions for the first year, will result in a cost of \$304,000, to which should be added the cost of clothing equipment for 200 men at \$69.75 per man, namely, \$13,950, making a total cost of \$317,950 for a full first year. On the basis of the present sliding scale of salaries, there will be an additional charge of \$100 per man each year, amounting to \$17,700 annually, for four years.

The Fire Commissioner states that there will be no additional expenditure on account of furnishings in the various houses due to the adoption of the "Two-platoon System."

Respectfully yours,

RUPERT S. CARVEN,
City Auditor.

City of Boston,

Fire Department, January 26, 1923.

Hon. James M. Curley,

Mayor of Boston.

Dear Sir,—With reference to the two-platoon system as applied to this department, I beg to inform you that it will become necessary to add to our present fire-fighting force the following officers and privates:

3 deputy chiefs at \$4,000 per year . . .	\$12,000
5 district chiefs at \$3,500 per year . . .	17,500
7 captains at \$2,500 per year	17,500
8 lieutenants at \$2,300 per year	18,400
177 privates at \$1,400 per year	247,800

\$313,200

Less difference of 23 men between \$1,400 and \$1,800

9,200

Total additional cost the first year, exclusive of uniform equipment . . .

\$304,000

Equipping 200 men with overcoat, blouse, trousers, fire coat, cap, fire hat and devices, at \$69.75 per man

13,950

Total additional outlay the first year, \$317,950

PRESENT FORCE.

- 1,055 privates, engineers and assistant engineers—
Mainly in the fire-fighting branch; also other branches allied with this department.
- 68 captains—Includes 1 captain in charge of the Bureau of Supplies and Repairs.
- 100 lieutenants—Includes 1 lieutenant, Hose and Harness shop; 1 lieutenant, drill-master and executive officer of Fire College; 1 lieutenant, aide-to-chief of department.

1,223 Total.
4 deduct officers above-mentioned on special duty.

1,219 Net total, exclusive of chief officers.
1 chief of department.
4 deputy chiefs.
15 district chiefs.

1,239 Grand net total.
Present total 1,239

WITH TWO-PLATOON SYSTEM IN FORCE.

Additional men required to augment the present force 200

Total number of men under the two-platoon system 1,439

Number of privates, engineers, etc. . . 1,232
Number of officers 207

1,439

Very sincerely yours,
THEODORE A. GLYNN,
Fire Commissioner.

Referred to the Executive Committee, on motion of Coun. MORIARTY.

PETITIONS REFERRED.

The following petitions were received and referred to the committees named, viz.:

Claims.

Erling Anderson, for compensation for damage to automobile by city ash cart No. 1013.

Jacob Arenstein, to be paid for a basement window at 10 Kirkland street broken by a city ash team.

Rose Atchikoff, for a hearing on claim on account of injuries caused by a defect at 634 and 636 Washington street.

Bridget H. Green, for compensation for injuries caused by a defect in highway at 70 Compton street.

Joseph Guttentag, for a hearing on claim for injuries caused by a defect in sidewalk at alleyway adjoining the Modern Theater.

Arthur S. Johnson, for compensation for damage to automobile by city team No. F358.

Giovanni Proia, for compensation for damage to automobile by a city team on Cambridge street.

Leo Radzicawicz, for compensation for damages to his property at 38 Boston street.

Ralph Robart, for compensation for injuries caused by a defect in Massachusetts avenue, opposite Symphony Hall.

J. P. Landers, for compensation for damage to automobile by a city team on Adams street.

James T. Maguire, for compensation for damage to automobile by a city team at corner of North Bennet and Hanover streets.

Mary E. McDonough, for compensation for damage to house at 6 North Mead street by ash collectors.

Benjamin Pitts, for compensation for injuries caused by a boy coasting on Parker street at Heath street.

Stewart Automobile Association, for compensation for damage to shrubs at 595-603 Newbury street by a runaway team of the city.

Stockman & Rockwood, for compensation for damages at 791 Beacon street, due to the laying of a large water pipe in street.

Edward C. Tetault, for compensation for damage to automobile by a hole in street at 779 Beacon street.

Caro F. Colburn, for compensation for injuries caused by fall on bridge on Massachusetts avenue, between Boylston and Newbury streets.

Abraham Sandler, for compensation for damage to automobile by police auto patrol of Division No. 3.

Rose Sourenski, for compensation for injuries caused by fall on South street, corner Charles street, Jamaica Plain.

MINORS' LICENSES.

President BRICKLEY submitted reports on petitions for minors' licenses for forty-one news-boys—recommending that licenses be granted.

Reports accepted; licenses granted on the usual conditions.

NOTICES OF HEARINGS.

Notices of hearings were received as follows:

Eastern Massachusetts Street Railway Company to be given hearing by the Department of Public Utilities on January 31 at 10.30 a. m., at the State House, on petition to acquire, own and operate motor vehicles not running upon rails or tracks. Placed on file.

Street Commissioners concerning storage and sale of gasoline at various locations, on which hearings will be held February 12 at eleven o'clock a. m. Referred to the Executive Committee.

TRAFFIC REGULATIONS.

A communication was received from the Street Commissioners giving notice that Lynn street, southerly from Thatcher street to Cooper street, is a one-way street for vehicular traffic. Placed on file.

APPROPRIATION FOR SOCIAL LAW LIBRARY.

President BRICKLEY offered an order—That there be allowed and paid to the proprietors of the Social Law Library the sum of \$1,000 for the maintenance and enlargement of said library; said sum to be charged to the appropriation for Social Law Library, Suffolk, Social Law Library.

Passed under a suspension of the rule.

LEGISLATION CONCERNING DANIEL F. DWYER.

Coun. GILBODY offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of Daniel F. Dwyer in the Boston Fire Department.

Passed under a suspension of the rule.

ANNUITY FOR KATHERINE BOODRO.

Coun. MORIARTY offered the following:

Resolved, That the City Council of Boston hereby favors the enactment of legislation to authorize the City of Boston to pay an annuity to Katherine Boodro.

Passed under a suspension of the rule.

REINSTATEMENT OF JAMES KELLY.

Coun. MORIARTY offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of James Kelly in the Institutions Department of the City of Boston.

Passed under a suspension of the rule.

REINSTATEMENT OF JAMES F. CLARK.

Coun. WATSON offered the following:

Resolved, That the City Council of Boston favors legislation for the reinstatement of James F. Clark as a member of the Police Department of the City of Boston.

Passed under a suspension of the rule.

CLAIMS.

Coun. WALSH, for the Committee on Claims, submitted reports on various petitions for compensation for damage to person and property—that the petitioners be given leave to withdraw, viz.:

Salvatore Alessandro (referred September 18), for damage to cart by city truck.

Armstrong Transfer Express Company (referred October 2), for damage to taxicab by fire apparatus.

Anthony Anzalone (referred February 4), for injuries received on ferryboat "Sullivan."

Atlantic Cone Company (referred July 24), for damage to truck by city truck.

Charles H. Arnold (referred March 27), for injuries caused by being knocked down by a patrol wagon.

American Railway Express Company (referred March 20), for damage to truck by city garbage truck.

American Railway Express Company (referred January 23, 1922), for damage to wagon by fire apparatus.

Mrs. Esther Allen (referred January 16, 1922), for coat torn on projecting lock on storm door at Roxbury Courthouse.

Frank Burrows (referred February 20), for damages by break in water main at 240 Shawmut avenue.

Wilfred J. Bernier (referred March 13), for damage to automobile by fire apparatus.

Corra Berner (referred January 23, 1922), for windows broken by limbs of trees at 215 Webster street, East Boston.

Eunice E. Belyea (referred April 24), for injuries caused by a fall on sidewalk at 2218 Washington street.

Batchelder & Snyder Company (referred May 1), for damage to truck and contents by defect in Kilmarnock street.

Margaret E. Brady (referred May 15), for injuries received and expenses incurred on account of being knocked down by city automobile.

James E. Burke (referred June 5), for damage to car by cart of Paving Division.

Charlotte Bragg (referred June 26), for injuries received from a fall on Franklin street side of estate 88 Broad street.

Morris Bloom (referred June 5), for damage to car by truck of Park Department.

Sarah A. Burns (referred August 7), to be paid for clothing lost by her son, Thomas Burns, while a patient at City Hospital.

E. W. Brown (referred September 25), for damage to automobile by fire truck.

Edward F. Brady (referred September 11), for hearing on claim against Atlas Construction Company.

Lillian Block (referred September 25), for injuries caused by defect in sidewalk at 34 McLean street.

Berry, Dodge Company (referred October 30), for damage to automobile by team of Street Cleaning Service.

Arthur M. Busch (referred October 30), for damage to automobile by brush street sweeper.

Lucius J. Barnet (referred October 23), for damage to motor car by team of Street Cleaning Service.

George H. Brown, trustee (referred July 24), for refund of bill for water at 436 Bunker Hill street, paid under protest.

Mrs. Santa Bruno (referred July 24), for injuries caused by defect in highway at 211 Hancock street, Dorchester.

Thomas Borghetti (referred April 3), for injuries received on ferryboat "Ralph J. Palumbo."

Max D. Bramberg (referred September 11), for damages caused by blocking up of sewer.

John A. Butler (referred June 26), for damage to automobile by fire apparatus.

Romeo N. Bossi (referred July 24), for damage caused by defective sewer at 4 Humphreys street.

Romeo W. Bossi (referred September 10), for damage to property 4 and 6 Humphreys street by overflow of sewer.

Nathan Bromberger (referred December 4), for damage to truck by team of Public Works Department.

Lucille Brenner (referred June 12), for damage to automobile by team of Public Works Department.

Florence C. Breen (referred January 23), for hearing on claim on account of injuries caused by fall on Lyndeboro street.

A. Battaglia (referred April 17), for pane of glass broken by ash collector at 531 Dudley street.

Poston Elevated Railway Company (referred December 19, 1921), for damage at Lincoln Wharf by one of city ferryboats.

Bushway Ice Cream Company (referred April 24), for damage to horse by defect in Ruggles street, near Columbus avenue.

Nathan Beck (referred December 28, 1921), for damage to house at 22 Eutaw street by a tree blown down.

Lillian R. Carney (referred January 16), for repair of glasses broken by electric lamp in Room 49, City Hall.

Abraham Cohen (referred March 20), for coat and gloves taken from him as City Hospital.

Abraham Cohen (referred March 20), for coat and gloves taken from him at City Hospital (second petition).

Cann's Commissary, Inc. (referred April 3), for damage to truck by team of Sanitary Division.

Frank Clericuzio (referred December 5, 1921), for bearing on claim on account of defect in highway at 78 Frankfort street.

J. R. Cox (referred August 7), for damage to car by Street Cleaning wagon.

Chester E. Collier (referred July 21), for damage to automobile by cart of Paving Division.

Esther R. Cadeagan (referred August 7), for damage to garments.

Alfonzina Colarusso (referred June 5), for window at 152 Cottage street broken by boys playing ball at Cottage Street Playground.

Margaret Chisholm (referred August 7), for injury to her hand crushed in door at Mary Hemenway School.

Harry Cohen (referred September 11), for injuries received at East Boston Ferry.

Julius Cohen and Josephy (referred September 25), for damage to car caused by a collision on Charles street.

Anna T. Chutjian (referred September 25), for loss of ring taken from her at City Hospital.

Gertrude Cauman (referred September 25), for injuries received at corner of Commonwealth avenue and Babcock street.

Jennie Conlon (referred October 30), for injuries caused by fall on stairs at Pierpont Schoolhouse on Hudson street.

Mrs. Coan (referred May 22), for injuries caused by defect in Grenville street, Roxbury.

David B. Cohen (referred March 13), for injuries received on ferryboat "Ralph J. Palumbo."

Annie Connors (referred July 24), for damage to horse, wagon and harness by patrol wagon of Station 15.

Cambridge Gas Light Company (referred March 20), for damage to barge by collision with ferryboat "Governor Russell."

Arthur W. Chapin (referred November 27), for damage to automobile by automobile of Park Department.

Mrs. Freva I. Carey (referred November 20), for injuries caused by defect in highway in Carson street on October 28, 1922.

Meyer J. Cohen (referred September 18), for damage to automobile by unlighted traffic post at 202 State street.

Joseph Cortese (referred October 2), for injuries received on East Boston Ferry.

Mary L. Cadigan (referred April 17), for death of son who was drowned at Rainsford Island.

Mary Curns (referred September 11), for clothing belonging to her husband and lost at City Hospital.

Joseph Cullen (referred September 18), for false teeth lost by him while patient at City Hospital.

Harry Carp (referred September 18), for damage to automobile by city watering truck.

Annie C. Conway (referred January 16, 1922), for injuries caused by a hole in vestibule of Martin School.

Co-operative Grocery Stores Company (referred February 13), for window broken by loose paving block which flew up when struck by a passing truck.

David E. Cohen (referred December 19, 1921), for damage to automobile and for injuries received because of defect in Columbus avenue.

Leo Cohen (referred December 19, 1921), for injuries caused by a defect in Columbus avenue.

Frances Cohen (referred December 19, 1921), for injuries received because of a defect in Columbus avenue.

Mary Cohen (referred December 19, 1921), for injuries received because of a defect in Columbus avenue.

Lillian Cohen (referred December 19, 1921), for injuries received because of a defect in Columbus avenue.

Sarah Cohen (referred December 19, 1921), for injuries caused by a defect in Columbus avenue.

Mrs. James W. Cunnock (referred December 5, 1921), for damages at 62 Bay State road by bursting of water main in Beacon street.

Bartholomew H. Couig, Jr. (referred September 23, 1921), for refund of poll tax for 1919 and 1920, he having a draft discharge.

L. E. Chandler (referred February 20), for damage to automobile by defect in highway in King square, Dorchester.

Harry Cahill (referred November 7), for injuries received because of defect at junction Broadway and Washington street.

Annie T. Collins (referred April 17), for injuries caused by snow and ice on sidewalk at 1410 Tremont street.

William J. Cleary (referred December 19, 1921), for refund of amount paid by mistake for water tax at 673 and 675 Columbia road.

Ellen T. Cunniff (referred September 26, 1921), for injuries caused by defect in sidewalk at 6 Pemberton square.

Margaret L. Carolan (referred December 28, 1921), for bed spring taken by mistake from 567 West Park street by city ash men.

John R. Connors (referred January 16), for return of watch stolen from his father, who died at City Hospital.

Abraham Cohen (referred January 16, 1922), for overcoat and gloves lost at City Hospital while a patient there.

Helen F. Cheissong (referred December 28, 1921), for injuries and damage to clothing caused by a fall on Oliver street.

Helena B. Cargill (referred December 19, 1921), for injuries and damage to clothing caused by fall on Lake street, near St. John's Seminary.

Charles M. Carroll (referred January 16, 1922), for damage to automobile by Police Patrol wagon.

Vincent Dinapoli (referred January 16, 1922), for injuries received on East Boston Ferry.

Edward L. Doyle (referred December 28, 1922), for four days' pay deducted from his salary by Board of Assessors.

B. V. Dugan (referred December 28, 1921), for damage to his fence, etc., by a tree which was blown down at 44 Monument avenue, Charlestown.

Louis Donnaruma (referred July 24), for damage to automobile by cart of Sanitary Division.

William W. Donovan (referred August 7), for damage to automobile by fire truck of Engine No. 15.

James Donovan (referred July 24), for injuries caused by ball batted from Francis Smith Playground on Western avenue.

Wilhelmina Doering (referred September 11), for damage to property 130 Eustis street by city in repairing fence.

Mary Donovan (referred April 17), for injuries caused by defect in sidewalk at 71 Crawford street.

Clarence F. Davis (referred October 9), for damages done by firemen at 705 East Broadway on July 22, 1922.

Joseph DeAngelo (referred November 13), for damage to automobile by city team No. 1019.

Barbara DeSantis (referred April 3), for injuries received on ferryboat "Ralph J. Palumbo."

Jeanette M. Dorgan (referred September 18), for injuries caused by falling on steps at voting booth in Ward 1, Precinct 1 (basement, Blackinton School).

L. S. Deane (referred June 12), for damage to automobile by city cart.

Carl E. Dorr (referred August 7), for damage to auto on East Boston Ferry.

Demirjian Lamp and Radiator Company (referred February 20), for damage to automobile by fire apparatus.

Albert Diamond (referred January 23, 1922), for damage to truck by fallen tree in West Milton street, Hyde Park.

Katherine M. Dale (referred March 20), matron on steamer "Monitor," to be reimbursed for money stolen from her on said steamer.

Esther Drazin (referred March 13), for damages caused by flooding of cellar at 39 Middlesex street.

James A. Dooley (referred March 6), for injuries caused by a fall on Bolton street, South Boston.

J. H. Drury (referred March 20), for damage to motor car by City Hospital ambulance.

Edinberg & Golden Company (referred July 24) for window broken by boys playing ball in North End Park.

Julia Beebe Fiebaum (referred March 20), for injuries caused by tripping over loose plank in Park Street Subway.

Epiqueur Club Bottling Company (referred November 13), for damage to truck by defect at 90 Brunswick street.

Bridget Egan (referred March 27), for injuries caused by a fall on Tremont street in front of Comins School.

Joseph P. Eeleston (referred April 3), for young fruit tree at 1 Roek avenue, Dorchester, which was killed by an ash truck.

Estate of Thomas J. Lane (referred May 8), for damage to fence by team of Sanitary Division in rear of 25 Warren avenue.

Allan C. Emery (referred January 30), for damage to automobile by fire apparatus.

Ellen J. Foley (referred January 16, 1922), for skirt torn on wire fence of Charles Street Jail on esplanade.

Mary C. Fetherston (referred March 27), for injuries by a policeman's horse stepping on her foot.

Fisher School of Mechanical Dentistry (referred March 6), for showase broken by team of Sanitary Division.

Margaret L. Fahey (referred March 6), for glasses broken and injuries received because of defect in River street, Hyde Park.

T. F. Fallon (referred June 12), for plate glass window on premises at Cleary square broken by police officer.

Cornelius Fitzpatrick (referred October 16), to be paid \$70 which was taken from him at City Hospital.

Mary Finn Estate (referred November 20), for gate to stable in rear of 632 Third street destroyed by team of city ash collector.

Arthur J. Frenier (referred September 11), for damage to car by fire apparatus.

Firestone Tire and Rubber Company (referred December 5, 1921), for damages at 656 Beacon street, caused by break in water main.

Mary A. Farrar (referred April 17), for damages at 28 King street caused by stopping up of drain by roots of a tree.

Joseph Garfinkel (referred February 4), for damage to truck by runaway horse of Public Works Department.

James Gullis (referred March 13), for damage to automobile by City Hospital ambulance.

Samuel U. Goldberg (referred October 20, 1919), for damage by rioters at building at southeast corner Tremont street and Temple place.

Emil Greim *et al.* (referred January 23), for damage to land on Abbott street, West Roxbury, by construction of catch-basin on said land.

Marion Gray (referred June 5), for damage to motor car by city automobile.

Joseph Giglio (referred June 5), for injuries received on East Boston Ferry.

M. Guberman (referred June 5), for damage to wagon by team of Sanitary Division.

Sarah E. Gatehell (referred June 5), for teeth taken away from her at City Hospital.

Mae S. Glazer (referred October 2), for damage to automobile by wagon of Sanitary Division.

Mary Corran (referred September 11), for damage by sewer at 86 Bunker Hill street, Charlestown.

Rose Goodman (referred September 11), for injuries caused by being run over by city automobile.

A. Greenberg Poultry Company (referred July 24), for compensation for loss of business caused by undermining and blockading of their place of business on Lewis street, East Boston.

Gaynor Luncheon Company, Inc. (referred February 13), for damages at 648 Main street, Charlestown, caused by defective sewer connection.

George J. Galbraith (referred March 13), for damage to automobile by police patrol wagon.

Israel J. Goldberg (referred March 20), for injuries received on ferryboat "Ralph J. Palumbo."

Mrs. Emma J. Goodwin (referred April 17), for injuries caused by defect in sidewalk, corner Washington and State streets.

Patriek J. Gallagher (referred February 4), to be reimbursed a portion of price of motor boat bought by him from Fire Department.

George Frost Company (referred January 16), for damage to truck by fire apparatus.

Ruth Greenblatt (referred December 19, 1921), for injuries caused by fall at 180 Tremont street.

Margaret Greer (referred February 13), for damage to chimney by employees of Park Department when cutting off limb of tree at 376 Main street.

Celia Grossman (referred July 11, 1921), for injuries caused by defect in Motte street.

Mrs. T. Huegel (referred February 4), for damages by sewage at 47-51 and 53 and 55 Batchelder street, Roxbury.

Mrs. J. M. Hozid (referred January 16), for plate glass window at 1 Phillips street broken by wagon of Sanitary Division.

William Hutehinson (referred April 17) for damage to stone post in alleyway at 7 Miner street knocked down by ash collector.

John P. Hall (referred March 13), for injuries received at Franklin Union.

Mary A. Healy (referred July 24), for loss caused by tearing down of building at 6 and 7 Marble street, condemned by city.

Joseph L. Harris (referred July 31), for damage to automobile caused by City of Boston patrol wagon.

Ereline M. J. Howard and Edward L. Knight (referred September 25), for damages by water at 17 and 19 Quiney street.

Mrs. Margaret S. Hartson (referred September 25), for damage by catch-basin at 48 Julian street.

Marion Hiekey (referred August 7), for hearing on her claim against the city.

F. A. Higgins (referred October 23), for payment for pair of shoes torn on door in City Hall Annex.

T. A. J. Hayes (referred September 11), for damage to car by Police Department.

Hyman Hootstein (referred August 20), for damage to property 65 and 67 Canal street by backing up of sewer.

Frederick L. Haley (referred March 27), for coat stolen from him at City Hospital.

Holland System, Inc. (referred 1919), for loss and damage by rioters at 45 Magazine street, 344 Shawmut avenue, 27 Haymarket square.

Benjamin Halperin (referred May 15), for damage to automobile by fire apparatus.

Esther G. Haugan (referred January 16, 1922), for return of bed clothes taken from 192 West Springfield street by City Hospital employees.

Joseph Inzenga (referred January 30), for injuries received on East Boston ferryboat.

Institutions Department (referred February 4), to be reimbursed \$7.66 paid out in error.

Frank S. Tokepa (referred October 30), for money taken from him when he was taken to City Hospital.

Frank Imbruglia (referred September 26), for damage to automobile by police auto patrol.

Jenness & Co. (referred 1921), for injury to horse by manhole cover in alleyway off Beverly street.

Bridget Jones (referred September 25), for blanket lost at City Hospital.

Ralph R. Jacobs (referred October 23), for damage to automobile by police auto patrol.

Charles Jones (referred October 9), for blanket lost at City Hospital.

Amanda C. Johnson (referred January 16, 1922), for boiler at 7 Ardmore road burst by shutting off of water in street.

Jefferson Club of Charlestown (referred 1921), to be reimbursed for expense incurred on account of hearing relative to General Baking Company.

Mrs. Margaret Johnston (referred February 4), for injuries caused by being knocked down and trampled on in vestibule of City Hospital.

F. W. Kevlor (referred April 10), to be paid for garbage pail taken from premises 181 Allston street by a garbage collector.

Ida Krinsky (referred March 6), for injury sustained on January 17, 1922.

James J., John R. and Harold W. Keefe (referred 1918), for backing up of sewage at 648 Dudley street on or about December 17, 1918.

A. Kagno (referred April 3), for damage to sidewalk at 92 Winthrop street, Roxbury, broken by city ash team.

William F. Kennedy (referred 1921), for injuries received in front of 30 Hawkins street.

King Motors, Inc. (referred 1921), for damage at 650 Beacon street by bursting of water main.

A. Kopel (referred August 7), for expense incurred on account of fire engine backing into window at 115 Salem street.

Mr. Kolodny (referred June 26), for damage by a leak at 41 Endicott street.

Richard W. Kelleher (referred September 11), for injuries caused by fall on Boston Common.

Ruth Olive Knighton (referred October 30), for clothing taken from her while a patient at City Hospital.

Elizabeth Kelliher (referred May 1), for injuries caused by a fall on River street, Mattapan.

Kendall Brothers (referred June 5), for damage to truck by defect in highway at Bay State road and Beacon street.

Sonia Konowitz (referred June 5), for damage to automobile by fire apparatus.

Edward F. Kelley (referred 1921), for expense of repairing fence broken by falling of decayed tree.

Dora Katzman (referred May 27), for injuries caused by fall on sidewalk at 109 Green street.

John E. Kiernan (referred April 24), for damages at 292 Bremen street caused by overflow of sewers in June, 1921.

Morris Lewis (referred February 27), for injuries received from fall on stairs at the Winchell Schoolhouse.

Maria Lapaglia (referred 1920), for injuries received on account of dangerous condition of floor of North Fenmet Street Bathhouse.

Salvatore LaRosa (referred 1921), for injuries received on East Boston ferryboat.

Michelena Ligiere (referred April 3), for injuries received on East Boston Ferry.

Joseph Lyons (referred January 23, 1922), for injuries caused by a fall on Centre street, Jamaica Plain.

Mary E. Lennon (referred June 26), for damages at 53 Neponset avenue by surface water in basement.

Ernest R. Lee (referred July 31), for damage to automobile at 607 Shawmut avenue.

Joseph LaRosa (referred July 24), for injuries caused by a watering cart at corner Charter and Hanover streets.

Thomas Lambert (referred September 11), for personal injuries received at Franklin Field.

Israel Levinson (referred June 5), for damage to automobile by city wagon.

Michael J. Lydon (referred August 18), for damage to property 254-258 Bowdoin street, Dorchester, by backing up of sewer.

Emma G. and Helen M. Lawler (referred April 10), for injuries received on ferryboat "Ralph J. Palumbo."

Florence E. Lyons (referred September 18), for injuries received at Mystic Playground.

Samuel Lebowich (referred November 13), for damage to car by hole in highway, opposite 901 Huntington avenue.

Charles J. Larson (referred December 4), for damage to automobile by cart of Sanitary Division on Commonwealth avenue.

Morris Lipsky (referred February 12), for injuries and for pony killed by fire apparatus.

L. LoConte & Co. (referred May 1), for damage to automobile by team of Sanitary Division.

Mary J. Morgan (referred January 16), for expense incurred in repairing drain at 24 and 26 Gordon avenue, Ward 24.

Edith C. Magrath (referred April 10), for money taken from her brother's pockets at City Hospital.

Joseph Magulsky (referred March 20), for vest burned while he was a patient at City Hospital.

Leo Manconi (referred April 24), for injuries caused by fire apparatus.

Josephine G. Murphy (referred 1921), for injuries received from a fall on Commercial street.

Joseph May (referred 1921), for damages to property at 209 Congress street caused by water from broken water pipe in High street.

Mills Transfer Company (referred July 24), for damage to truck by city dump cart on Atlantic avenue.

A. G. McKinnon (referred August 7), for damage to automobile by car of City of Boston.

Helen F. Morton (referred June 5), for damage to clothing by water from a standpipe filling a watering cart.

Mrs. Thomas Manning (referred September 11), for injuries to son from fall caused by a hole in pathway at Franklin Park.

John J. McKenna (referred September 18), for expense incurred by stopping up of drain at 7 Carmen street.

A. J. McGowan (referred June 12), for expense of repairing drain at 931 and 933 Broadway, stopped up by roots of trees.

Nicola Masciulli (referred April 17), for damage by sewage at 94 and 96 Everett street, East Boston.

John Y. Mainland (referred October 23), for refund of amount paid under protest for sewer assessment on land on Matchett street.

Elsie L. Mulvey (referred October 9), for plate glass window at 201 Atlantic avenue, broken by Fire Department ladder.

Louis F. Miller (referred July 24), for damage to automobile by defect in Cambridge street, Allston, on bridge over Boston & Albany Railroad.

James J. Moynihan (referred April 3), for damages at 141 and 143 Silver street, caused by carelessness of city in respect to hydrant in sidewalk in front of said premises.

Gracie T. Morin (referred June 12), for window and glass sign at 527 Massachusetts avenue, broken by jarring of heavy trucks passing over hole in street in front of said premises.

Arthur McArthur (referred November 13), for hedge at 38 Stratford street, West Roxbury, burned by city employees gathering and burning leaves.

J. Scott McLearn (referred November 13), for damage to automobile by team of Sanitary Division.

Frank and Bessie Murphy (referred September 11), for damage to property at 90 Bunker Hill street by sewer.

Bernard F. Mullen (referred June 26), for damage to his car by city ambulance No. 10.

Mourad Mouradian (referred June 12), for damages at 2411 Washington street by a police officer.

William J. Magee (referred May 1), for damage to automobile by fire apparatus.

John F. McVey, Jr. (referred September 11), for damage to car by police wagon.

Grace E. Metcalf (referred March 27), for injuries caused by fall on defective plank walk in Public Garden.

Elbert LeRoy Monroe (referred May 15), for payment for ash can destroyed by employees of Sanitary Division.

M. E. Maedonough (referred May 22), that city repair an electric pipe at No. 6 Mead street, broken by city ash collector.

Gerald F. Mahoney (referred January 30), for damage to automobile by fire apparatus on Massachusetts avenue, near Columbia road.

Majestic Hotel Company (referred January 16), for damage to truck by hose fire truck.

S. H. McCarroll (referred January 16, 1922), for ash can taken from 521 Sixth street by an employee of Sanitary Division.

Stephen J. Moran (referred 1921), for damage to roof of house at 44 Ashford street by a tree.

Margaret E. McCoy (referred February 4), for damage to property, 17 Wheeler street, by police officers attempting to make an arrest.

Mae J. Morgan (referred February 13), for injuries received by a fall on steps leading from Bosworth street to Province street.

Dorothy Ann Murphy (referred 1921), for injuries received at corner of Minot and Saranac streets.

Daniel P. Miley (referred May 1), for overcoat taken from him at City Hospital.

New York, New Haven & Hartford Railroad Company (referred February 20), for damage to fence on Geneva avenue, broken by police officers.

Mark Norton (referred January 16), for injuries caused by being struck by City Hospital ambulance.

Clarence L. Newton (referred May 22), for damage to fence at 1 Claremont park by wagons of Sanitary Division.

Helen L. Noonan (referred June 5), for damages at 78 Hobart street, Brighton, caused by horse of Street Cleaning Division.

Ernest N. Norris (referred July 24), for damage to automobile by city truck on Columbia road and Seaver street.

Catherine E. Nagle (referred January 30), for fence broken by city ash cart on Robinson street in rear of property 242 Westville street.

Hannah M. M. Norton (referred February 4), for damages at 40 Monument avenue by falling of a tree.

Reports accepted; petitioners given leave to withdraw.

RECESS TAKEN.

The Council voted at 2.33 p. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members reassembled in the chamber and were called to order by the President at 3.35 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on message of Acting Mayor and communications (referred today) concerning cost of two-platoon system in the Fire Department—that the same be placed on file.

Report accepted; communications placed on file.

2. Report on ordinance (referred January 8) concerning hours of firemen (two-platoon system)—that the ordinance ought to pass.

Report accepted; ordinance passed, yeas 7, nays 0.

3. Reports on communications from the Street Commissioners (referred January 8) on notices of hearings on petitions for gasolene licenses—that the same be placed on file.

Report accepted; communications placed on file.

COUNTY ACCOUNTS.

Coun. FORD, for the Committee on County Accounts, submitted the following, viz.:

1. Report on communication from justice of the East Boston District Court (referred December 27) concerning salary of probation officer—recommending the passage of the following, viz.:

Ordered, That the salary of Dennis J. Kelleher, probation officer of the East Boston District Court of the City of Boston, determined by the justice of said court at the rate of \$2,600 per annum, to date from February 1, 1923, be and the same hereby is approved.

Report accepted; order passed.

2. Report on communication from justice of the East Boston District Court (referred December 27) concerning salary of probation officer for wayward and delinquent children—recommending the passage of the following, viz.:

Ordered, That the salary of Frederick L. O'Brien, probation officer of the East Boston District Court of the City of Boston (wayward and delinquent children), determined by the justice of said court at the rate of \$2,000 per annum, to date from February 1, 1923, be and the same hereby is approved. Report accepted; order passed.

CONFIRMATION OF APPOINTMENTS.

President BRICKLEY called up unfinished business, Nos. 1 and 2, viz.:

Action on appointments submitted by the Mayor, January 22, 1923, viz.:

1. John K. Gallacher, to be a Weigher of Coal.

2. Richard M. Tyler and John M. Stewart, to be Weighers of Goods.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 7, yeas 7, and the appointments were confirmed.

President BRICKLEY called up unfinished business, No. 3, viz.:

Michael Supoppo, to be a Constable.

The question came on confirmation. Committee—Coun. Moriarty and Walsh. Whole number of ballots cast 7, yeas 6, nays 1, and the appointment was confirmed.

GENERAL RECONSIDERATION.

Coun. MORIARTY moved a general reconsideration on all business transacted at the meeting, hoping that the same would not prevail. Lost.

Adjourned at 3.40 p. m., on motion of Coun. DONOGHUE, to meet on Saturday, February 3, at twelve o'clock noon.

CITY OF BOSTON.

Proceedings of City Council.

Saturday, February 3, 1923.

Final meeting of the City Council held in the Council Chamber, City Hall, at eleven o'clock a. m., President BRICKLEY in the chair. Absent—Coun. Hagan.

PETITION REFERRED.

The following petition was received and referred to the Executive Committee, viz.:

Cecile A. Mason, for permit for children under fifteen years of age to appear at Strand Ballroom, February 2.

CLERK HIRE.

The Register of Deeds, in accordance with law, submitted a report certifying that certain persons had been employed in his office from January 22, 1923, to January 31, 1923, and that work had been performed to the amount of \$745.13.

Approved and ordered paid.

SALARY INCREASES.

President BRICKLEY offered an order—That until otherwise ordered the annual salaries of the officers connected with the City Council be established as follows, beginning with the first day of February, 1923:

Clerk of Committees.....	\$4,000
Secretary to the City Council and Assistant Clerk of Committees.....	2,800
City Messenger.....	4,000
Assistant in the office of the City Messenger.....	2,200

Referred to the Executive Committee.

GROUP PICTURE.

President BRICKLEY offered an order—That the City Messenger be directed to obtain a group picture of the members and officers of the City Council and furnish a copy of same to each of such members and officials; the expense to be charged to the appropriation for City Council, B-37.

Passed under a suspension of the rule.

REPORT OF COMMITTEE ON PRISONS.

Coun. MORIARTY submitted the following:

ANNUAL REPORT OF THE COMMITTEE OF THE CITY COUNCIL ON INSPECTION OF PRISONS.

February 3, 1923.

This report is made in accordance with the provisions of chapter 223 of the Revised Laws by the Committee on Prisons, which has attended to its duty and submits the following:

The institutions which the committee visited were the Suffolk County Jail and the House of Correction at Deer Island.

SUFFOLK COUNTY JAIL.

The semiannual inspections of the jail were duly made and the institution was thoroughly inspected. It was found to be clean and the inmates of the building are served with wholesome, nutritious food. The morale of the inmates is excellent. The annex is being equipped and will be in operation shortly, which will provide more desirable accommodations for visitors to the jail, and will also render possible the holding of religious exercises, furnish proper hospital and dental treatment space and increased recreational opportunities. The population continues to average two hundred inmates. The committee has nothing but praise for the way the institution is conducted.

HOUSE OF CORRECTION.

The committee made the required number of visits to the House of Correction during the year and found conditions at the institution excellent. A day school has been established at the island where illiterates are taught for three hours each day the reading and writing of English. This school has met with great success, the inmates doing the teaching. The twelve inmates now attending the school are able to talk, read and write English. For the past four months those inmates suffering from drug addiction have been isolated from all other inmates and are given medical treatment. It is planned in the spring to reclaim the land in back of the piggery and power house by filling in, thus doing away with the sea wall, which has for a long period been in need of repair. By the summer the men's new prison, known as "Parracks B," formerly occupied by the navy during the war, will be equipped with running water and toilets.

For the committee.

JAMES T. MORIARTY,
Chairman.

(Annexed were tables from the institutions.)
Ordered printed as a city document, on motion of Coun. WATSON.

CLAIMS.

Coun. WALSH, for the Committee on Claims, submitted the following, viz.:

1. Reports on petitions for claims for damage to person and property—that the petitioners be given leave to withdraw (the Law Department approving of said action, viz.:

Rebecca Aronson (referred November 27), for injuries caused by fall at 94 and 96 Bower street, Roxbury.

Mary Blanchard (referred October 16), for injuries received in front of 122 Tremont street.

Mrs. James B. Churchill (referred November 20), for injuries caused by fall on stairs in City Hall Annex.

Mrs. James B. Churchill (referred December 18), for injuries caused by fall on stairs in City Hall Annex.

Nicholas Ciampa (referred September 11), for damage caused by pipe bursting at transit work at Maverick square.

William T. Cummings (referred August 7), for money stolen from locker at Colerubus Park.

Alice M. Durst (referred July 24), for damage by blasting at 19 Ruskin road, Hyde Park.

Rose Egan (referred December 18), for clothing damaged by fluid from chemical engine of Fire Department.

Thomas B. Foley, M. D. (referred December 18), for damage to automobile by city ash cart.

General Electric Company (referred December 18), for damage to car by city cart.

Mosher Garage (referred December 18), for damage to car by chemical truck of Fire Department.

Elizabeth George (referred September 11), for injuries caused by fall on Washington street, between Bennett and Harvard streets.

L. Golden, M. D. (referred December 18), for damage to car by wagon of Public Works Department.

Victoria Hellar (referred August 7), for injuries caused by defect in sidewalk at 320 Harrison avenue.

Madeline Hutchinson (referred December 4), for fur coat torn by police officer's horse.

J. H. Horrigan (referred November 27), for damage to wagon by automobile of Police Department, Brighton.

Carl Holerans (referred November 13), for damage at 5 Linden street by leaky water meter.

Luther R. Harris (referred October 16), for injuries received in front of 70 Blackstone street.

Mrs. H. Kanterowitz (referred April 17), for injuries received from fall at corner Wayland street and Harvard avenue.

John F. Leavitt (referred December 18), for damage to automobile of Fire Department on Tremont street, near West Dedham street.

Delia Lee (referred July 24), for damage by defective hydrant at 701 East Eighth street.

Mary Mazer (referred December 4), for injuries caused by fall at 30 Blossom street.

Samuel Myers (referred October 30), for damage to automobile by negligence of gate tender at bridge between Chelsea and Boston.

M. J. Morrissey (referred October 30), for damage to automobile by police auto patrol.

Mrs. Anna G. McKinney (referred October 9), for injuries caused by hole in pavement at corner West Cottage and Dudley streets.

Thomas McGrail (referred November 27), for injuries caused by excavation at Lawn and Estey streets.

Fred McDonald (referred October 16), for injuries caused by defect in highway at 41 Wormwood street.

Dennis Neville (referred August 14), for damage to property at 49 Minot street by overflow of sewer.

Isabelle C. O'Brien (referred March 20), for injuries received from fall in front of City Hall Annex.

William Orchard (referred May 1), for expense of embankment and steps at 4393 Washington street, on account of neglect of city employees in sidewalk construction.

Osborne Office Furniture Company (referred June 5), for damage to truck by city team.

Joseph O'Brien, minor (referred September 25), for injuries caused by nail in board in yard of Nonantum Street School.

Lucey A. Olsen (referred October 30), for damage to automobile by fire apparatus on Central street.

Charles C. Olsen (referred June 5), for damage to automobile by oily pavement on Gates street, South Boston.

Mrs. K. O'Brien (referred September 11), for clothing taken from clothes line at 3 Union street by ash collectors.

William Pink (referred July 24), for damage to automobile by city team.

Joseph Paul (referred September 25), for damage to car by team of Sanitary Division.

Mrs. Pushnis (referred July 24), for injuries caused by defect in Brighton avenue.

Rose M. Peters (referred June 5), for damage to clothing caused by falling on oily crosswalk at 725 Third street.

Price Brothers (referred June 12) for damage to wagon by collision with city team.

Frank M. Pease (referred November 13), for damage to car by team of Sanitary Division.

Ottino Perretti (referred April 3), for injuries received on ferryboat "Ralph J. Palumbo."

Liberator Paduano (referred April 3), for injuries received on ferryboat "Ralph J. Palumbo."

Arthur R. Pillsbury, M. D. (referred November 27), for damage to car by fire apparatus on Allston railroad bridge.

Richard Stuart Palmer (referred October 30), for damage to clothing and injuries received at corner Canal and Causeway streets.

C. J. Peirce (referred November 13), for damage to property and injuries received on account of plank in street in Huntington avenue in front of the Opera House.

Alice Paine (referred November 27), for injuries received on Common October 24.

Florence E. Preston (referred December 5), for injuries received from fall on Avery street.

Concetta Pistone (referred January 16), for injuries received on East Boston Ferry.

Phyllis Pistone (referred January 16), for injuries received on East Boston Ferry.

Sam Perchuck (referred February 4), for injuries received from fall in Marston place.

Benjamin Pazol (referred January 30), for loss of goods and damage to team by team of Park Department.

Arthur B. Parke (referred 1921), for money lost while a patient at City Hospital.

Marion Quinn (referred October 16), for injuries received from defect at 435 Sixth street.

Thomas Quinn (referred 1921), for damage to automobile hearse by Police Department.

Josephine Radosta (referred January 16), for injuries received on East Boston Ferry.

Ida Rosengard (referred April 3), for damage at 88 Winthrop street, Roxbury, caused by city team.

Arthur L. Richmond (referred February 20), for damage to car by city team.

Argeo Ravanasi (referred June 5), for damage to car by hole in street, corner Cobb and Washington streets.

Francesco P. Ricci (referred October 30), for refund of amount of tax.

Sarah Rosenfelt (referred September 11), for damage to property at 36 Hansborough street by shutting off water.

Ann Louise Rienzi (referred February 4), for damage at 30 Princeton street, Charlestown, caused by defective sewer, etc.

Rose Rosenthal (referred June 12), for injuries caused by defect in highway at 136 Harvard street, Dorchester.

Samuel W. Ronimus (referred August 14), for loss of clothing while at Long Island.

Thomas P. Ring (referred April 17), to be paid for overcoat stolen at Paris Street Gymnasium.

William A. Ryan (referred April 3), for damage to clothing by fresh paint in City Hall Annex.

Joseph P. Russo (referred September 11), for damage to property at 125-129 Northampton street caused by water leak.

Mrs. John Richardson (referred October 23), for damage to car by car of Fire Department.

Grace Lucy Rodden (referred April 3), for injuries caused by defect at corner Milk and Washington streets.

William V. Rooney (referred May 1), for damage to car by defect in Cambridge street, Allston.

Louisa Cabot Richardson (referred September 18), for damage to automobile by car of Fire Department.

Giovanna Reppucci (referred January 16), for injuries caused by defect at 281 Washington street.

Joseph Rubenstein (referred February 13), for damage to automobile by fire apparatus.

Rendle-Stoddard Company (referred January 16), to be paid bill for delays at Arsenal Street Bridge.

Israel Roseman (referred 1921), for damage to goods in cellar at 148 Cambridge street by water.

Cornelius J. Sisk (referred March 6), for injuries taken by fall on Howe avenue and H street.

Minnie Schmidt (referred November 13), for injuries caused by defective sidewalk, corner Huntington and Parker Hill avenues.

Adele Secatore (referred October 16), for injuries caused by defect in Lewis street.

Louis Silberman & Sons (referred 1921), for rebate on garbage collection tickets.

Winifred L. Sinnott (referred May 8), for damage caused by bursting of water pipes at 70 Bernard street.

Ella Smith (referred 1921), for injuries caused by fall on Dunstable street.

W. E. Sherman (referred April 10), for injuries from fall on sidewalk.

Harry Saperstein (referred March 20), for damage to truck by fire apparatus.

Denis A. Seannell (referred January 16), for damage to automobile by defect at Warren Bridge.

Samuel Sakovitz (referred 1921), for injuries caused by being run over by a police patrol wagon.

Mrs. Frank H. Salisbury (referred 1921), for injuries caused by defect at 129 Tremont street.

John T. Shea, Jr. (referred 1919), to be paid for work done for city.

John T. Shea, Jr. (referred 1919), to be paid for city work done on Tremont street.

Mary A. Sheil (referred July 24), for damage to walk by ash cart at 12 North Munroe terrace.

Annie Slabinsky (referred April 3), for injuries caused by carelessness of city employees removing garbage barrel.

John and Nancy Sorrenti (referred July 24), for injuries caused by falling ceiling on city property at 19 Cherry street.

A. J. Sears (referred May 8), for damage to automobile at Brighton High School Auto Repair Shop.

Victor Shaparo (referred June 26), for damage to auto by city team.

Matthew J. Smith (referred September 25), for damage to gate on Conant street broken by truck of Sanitary Division.

Josephine Stella (referred October 23), for injuries received on East Boston Ferry.

Maria Steleno (referred June 5), for damage to goods at 91 Cottage street by overflow of sewer.

Standard Saw and Tool Manufacturing Company (referred June 26), for refund of taxes paid in 1920 and 1921.

Sternberg Clothing Company (referred 1919), for loss caused by rioters at 975 Washington street.

Denis J. Sugrue (referred September 18), to be paid for shoes lost at City Hospital.

Claude J. Stellberger (referred January 16), for damages to automobile by defect in Columbus avenue.

Mary B. Sullivan (referred April 10), for damages by missiles thrown from playground on Smith street.

John F. Silk (referred May 8), for return of money taken from him at Relief Station.

William J. Sheehan (referred May 8), to be paid for fence on Gordon avenue demolished by fire apparatus.

Harris Sedersky (referred 1921), for injuries on Charlestown Bridge caused by negligence of drawtender.

George W. Skinner (referred May 1), for refund of fee for water tax.

Margaret M. Sullivan (referred May 22), for damage to gate and fence on Second street caused by employees of the Fire Department.

Henry N. Sweet (referred January 23), for damage to automobile by fire apparatus.

Mrs. Scanlan (referred February 4), for payment for damage to articles caused by city ash team.

George Silverman (referred 1921), for injury caused by defect at 102 Poplar street.

Stone's Express, Inc. (referred May 1), for damage to truck by fire apparatus.

Carl D. Smith (referred February 4), for damage to auto car by post in Boylston street, corner Tremont street.

Ida Solomon (referred 1921), for injuries caused by fall on Allen street.

H. Slessinger & Son (referred February 27), for damage to window on Dover street caused by employee of sanitary division.

Seigel & Jacobson (referred 1919), for damage caused by rioters to store, corner Eliot and Washington streets.

James K. Trephon (referred October 23), for damage to automobile by police auto patrol.

Lena Thibault (referred September 18), for injuries caused by hole in pavement corner Boylston and Washington streets.

Sarah M. Toy (referred July 24), for rebate of water bill.

W. J. Tavender (referred March 27), to be paid for material furnished Institutions Department in 1915.

Sotie Tosi (referred November 13), for damage to wagon by fire apparatus.

Daniel and Mary A. Thompson (referred September 11), for damage to clothing caused by defect in Centre street.

Anthony Tucci (referred November 13), for injuries caused by hole at 217 Centre street, Jamaica Plain.

Grace Townsley (referred November 13), for injuries caused by obstruction of sidewalk, corner Sutherland road and Commonwealth avenue.

M. J. Twelvey (referred April 3), for return of money lost at Boston Relief Station.

Peter Topilofsky, *per pro ami* (referred 1921), for injuries caused by defect in Stillman street.

Mary Agnes Trainor (referred 1921), for injuries caused by loose paving blocks, corner Centre street and Dorchester avenue.

Louis Vardaro (referred 1921), for boiler damages by shutting off water in Princee street.

John D. Williams, trustee (referred March 6), for damage to fence broken by fire apparatus.

Eddy Wade (referred March 13), for damage to automobile by cart of the Sanitary Division.

Arthur H. Wilson (referred March 13), to be paid for ash barrels taken by Sanitary Division.

Anna C. Wilson (referred 1921), for injuries received on Maverick Street Bridge.

Walter R. White (referred 1921), for damage to car by defect in highway.

Archibald Waterman (referred May 15), damage to automobile by team of Public Works Department.

W. & A. Walker, Inc. (referred April 24), for refund of taxes.

Christopher Waldman (referred June 26), for damage to house by construction of sewer in Roslindale.

Philip N. Winkler (referred September 18), for rebate on water bill.

Max Weinberg (referred September 11), for death of son at City Hospital caused by negligence.

Harry Westheimer (referred October 30), for damage to automobile by city cart.

Beulah Anderson Wentworth (referred October 30), for injuries received while a pupil at the Rice School.

Mrs. T. I. Winsor (referred November 13), to be paid for furnace pipes broken by ashmen.

John F. Walsh (referred November 27), for compensation for damage to car by street sweeper of city.

John A. Whittemore's Sons (referred June 26), for damage to truck by fire apparatus.

Francis A. Waldron (referred February 13), for damage to car by city ash wagon.

James A. Walker (referred January 16), for damage to car by city ash team.

Margaret M. Walker (referred January 23), for injuries caused by fall on Bancroft street.

Frank Wilcox (referred June 5), for injuries by being struck by bucket in use by employee of the city.

Barnett Wiener (referred November 27), for injuries received in city bathhouse at Dudley and Vine streets.

Joseph Yanusas (referred September 11), for damage to car by auto of Public Works Department.

H. G. W. Young (referred March 13), for damage to car by Fire Department auto.

Reports severally accepted; petitioners given leave to withdraw.

2. Report on all claims acted upon during the municipal year 1922, recommending that the same be printed as a city document (Document No. 123).

(The action on all claims was recommended by the Law Department.)

Report accepted; said document ordered printed.

RECESS TAKEN.

The Council voted at 11.51 a. m., on motion of Coun. WALSH, to take a recess subject to the call of the President.

The members of the Council reassembled in the chamber and were called to order by the President at 12.04 p. m.

EXECUTIVE COMMITTEE REPORTS.

Coun. FORD, for the Executive Committee, submitted the following, viz.:

1. Report on petition of Cecile A. Mason (referred today) for permit for children under fifteen years of age to appear at Strand Ballroom, February 2.

Report accepted; permit granted on the usual conditions.

2. Report on order (referred today) increasing salaries of Clerk of Committees, City Messenger, secretary of the City Council and Assistant Clerk of Committees, and assistant in the office of the City Messenger—that the order ought to pass.

Report accepted; order passed.

UNFINISHED BUSINESS.

Coun. DONOGHUE offered an order—That all matters of an unfinished nature in the hands of the several committees of this City Council be referred to the City Council of 1923.

Passed under a suspension of the rule.

CHAIR FOR COUN. FRANCIS J. W. FORD.

Coun. LANE offered an order—That the Superintendent of Public Buildings be authorized to sell to the members and officials of the City Council for a nominal consideration, the chair used by Francis J. W. Ford during his term of service in the City Council.

Passed under a suspension of the rule.

CLOSING PROCEEDINGS.

Coun. FORD offered the following:

Resolved, That the thanks of the City Council be extended to David J. Brickley for the impartiality and ability he has displayed as presiding officer of the body.

The question came on the adoption of the resolution.

Coun. FORD said:

Mr. President, I simply wish before I leave the body to say a few words in reference to my connection with it and to express my keen regret at leaving it. I have not prepared any speech for this occasion, but I do wish to say honestly and fairly that I leave this City Council with deep regret. I can say modestly that it has always been my desire to get whatever training I could in order to fit myself better for whatever duties might present themselves. I have tried to get that training, that education. Let me say, first, and I say it without fear of contradiction, that experience in the City Council of the City of Boston cannot but give the ordinary man a most excellent, liberal education. When I came into the body six years ago I was inexperienced in public affairs, and perhaps I am yet somewhat inexperienced;

but I have learned a lot, have studied a great deal, have followed the procedure here, and my experience has certainly been of great value to me from an educational standpoint. The opportunities afforded here for study of municipal finances alone mean a liberal education, an education of which I have tried to avail myself. The body owes me nothing, but I owe the body a great deal, and, as I say, I leave it at this time with keen regret. Sometimes we find criticisms made of this body, criticisms of its membership. But the strength of the body, Mr. President, lies in the fact that it is representative of the different elements in our community. If it were composed of nine lawyers, that would not be for the best interests of the people. I have come to realize that fully and keenly. If it were composed of nine business men, that would not be for the best interests of the people. People in our large cities are a cosmopolitan lot, and we need a cosmopolitan, all-around Council. In that way, affairs are handled pretty well in the best interests of all the people. I have been interested, not only in studying the matters coming before us, but also I might say, in a somewhat jovial mood, I have been interested in studying the different men in the Council. Without mentioning any members, knowing their activities outside and seeing them here, I have come to get a better viewpoint of the interests that they represent, and have come to sympathize with their point of view. I have learned one thing, and it has been deeply impressed upon me, that if a man disagrees with you it does not necessarily mean that he is wrong; and always after this, as I go along through the world, I will, because of my experience in this body, have great regard for the opinion of the other man, much as he may differ with me. I feel that it has been an honor to be a member of this body, and I feel that the members here now, who are to continue their membership, should consider it an honor to go on as members of the body. While I have kept regret in leaving, yet I will probably, engaging in legal business, do better for myself and family, and perhaps I may say facetiously that it may be better for the people I represent that I am retiring, although I have always tried to do my duty as I saw it. Before I leave I want to say just one word with reference to my association with the officials here. I want to publicly record the fact that, having met them, I feel that I am a better man for doing so. I would refer particularly to the good old dean of the Council—and he is the dean and will be the dean for a number of years,—the present City Clerk, for whom we have the highest respect. It would be a great calamity to the City of Boston if Jim Donovan should sever his connection with the city in any way, either by voluntary retirement or otherwise. Even if at some time Mr. Donovan should decide that he has had enough, he should still be urged, because of his great influence not only over the members of the Council but over public affairs, to continue in the public service. While I have singled him out, I know that the other officials will pardon me for singling him out. I feel that acquaintance with Mr. Donovan, the present City Clerk of the City of Boston, is an excellent experience for any young man who comes into the City Council. We have sought his advice at all times and have got it. The city is better for having him serve here, and I hope after I have retired, I may still come up here year in and year out, as I shall perhaps expect to do, before the body or otherwise, and still see our genial, efficient City Clerk, one who has had a whole lot of experience and who is willing to impart the benefit of it to anybody else. I wish also here to express my appreciation of his assistant, Mr. Doyle, efficient beyond measure, one who knows municipal law from every angle, and who is a great aid to everybody in his courteous and obliging way; to our genial and faithful City Messenger, and his always efficient assistant, Mr. Glenn, to our able and efficient Clerk of Committees and his assistant. I think the body is happy in having these men here and that it is a more efficient body because of their presence. I hope that they will continue for many years enjoying the best of health. I want to say in retiring that I have enjoyed my association with them and that I shall always regard them as my friends. And I shall always regard the members of the Council, whom I know and know well, as my friends. In other words, Mr. President, I am leaving here in a happy and contented mood, feeling that my life will be the better for the experiences I have had and the friendships I have formed here. I shall hope to

continue indirectly in the public service and to be of some benefit to the people of the City of Boston, even though I do not hold public office. Mr. President, this body has been presided over at various times by good and able men. We have had many presidents who have brought the body honor. But we never had a president, looking back over the list of presidents, who has stepped into the body and given it more distinction than the present president of the body, a hero, to be sure, when he came here, stepping out from military life and then into the body, and then, having learned the procedure here, stepping into the presidency of the body and adding to that office particular distinction. The decoration that was presented to you, Mr. President, by his Honor the Mayor during the year, in itself lent distinction to the body from a national standpoint. I wish to say again that I feel keen regret in severing my association with you, Mr. President. The members of the body are thankful to you for your just and impartial conduct of the office during the year, and thankful for the distinction which you have conferred upon the body. We are appreciative of your worth to the body, appreciative of the services that you have rendered here. Words sometimes do not express the tie that binds us, and the body has delegated to me the privilege, as the official representative of the members, of expressing to you their feelings, selecting me also to present to you a little token of their esteem. (Coun. Ford here presented to President Brickley a beautiful pair of jeweled link cuff buttons.) Sometimes when you look upon this gift of the members and officers of the body of 1922, you may remember the kindly and genial association which you had with those members and officers. On behalf of the body, Mr. President, it gives me extreme pleasure to present to you these cuff links. May they be emblematic of the ties that bind us. May their linking together of the garment you wear be symbolical of the associations and memories linking you with us. Mr. President, may that tie never be severed. (Applause.)

The resolutions were adopted by a unanimous rising vote.

President BRICKLEY said:

Fellow members of the Boston City Council and attaches, I have been sitting here trying to find words to say in reply to the beautiful things that have been said about me and to me by the gentleman who has just taken his seat. While I expected something of the sort, while it was not a surprise still after listening to him there is no doubt in my mind that this is one of the most interesting and finest moments of my life. As he has suggested the present means more to me than money can represent. They come from your gracious consideration rather than from any special merit of mine. I realized they have been given to me by my associates and the attaches of the City Council of 1922. That they are something I can show to my folks and friends in years to come if the Almighty God spares me, as a memento of the fact that I presided over the City Council of 1922, and that I was pleasantly remembered by my fellow associates. I shall always cherish this gift as one of my most valuable earthly possessions, because of its associations. The City Clerk, our friend smiling Jim Donovan, I want to thank for his kindness to me and my associates in the City Council. I also for myself and on behalf of my associates extend best wishes to Mr. Wilfred Doyle his associate, to Mr. Harnden our official stenographer, to the City Messenger and to my adviser and friend, Clerk of Committees, John Baldwin, as well as to all the reporters of all the papers who have been so kind to us all. While we may have had differences at times we appreciate the fact that they have done what was for our good, that they have not only done the best they could for our good but for the good of the greatest city in the world which is ours. I wish to say to all the police officers and attaches as well as all the members of the City Council, that I think them from the bottom of my heart for their kindness to me. I trust that in years to come, when I am looking at this wonderful present of mine, it will be one of the pleasantest memories of my life, bringing back to my mind my association with members and attaches of the City Council of 1922. Gentlemen, I thank you. Applause.

Adjourned, *sine die*, at 12.18 p. m., on motion of Coun. WALSH.



